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# JOURNAL

OF THE

## SENATE OF SOUTH CAROLINA:

BEING THE

### SESSION OF 1862.

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1862.



JOURNAL  
OF THE  
SENATE OF THE STATE OF SOUTH CAROLINA.

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MONDAY, NOVEMBER 24, 1862.

THE GENERAL ASSEMBLY of the State of South Carolina, begun and holden at the Capitol, in Columbia, in the State of South Carolina, on this day, the fourth Monday in November, the day fixed by the Constitution for the meeting of the General Assembly. The members of the Senate, whose terms had not expired, and those who had been elected at the late general elections, assembled in the Senate Chamber at 12 o'clock, meridian.

On motion of Hon. A. C. GARLINGTON, Senator from Newberry, the Hon. E. G. PALMER, Senator from Fairfield District, was called to the Chair.

On calling the roll, the following Senators answered to their names, viz :

Hon. Robert Beaty,	Union.
" A. H. Boykin,	Kershaw.
" F. W. Fickling,	St. Luke's.
" A. C. Garlington,	Newberry.
" John C. Hope,	Lexington.
" George D. Keitt,	Orange.
" Alex. Mazyek,	St. James', Santee.
" Samuel McAliley,	Chester,
" Robert G. McCaw,	York.
" J. C. McKewn,	St. James', Goose Creek.
" E. G. Palmer,	Fairfield.
" W. D. Porter,	St. Philip's and St. Michael's.
" W. G. Roberds,	St. Peter's.
" F. J. Sessions,	Kingston.

The Election Districts wherein elections had lately been held, were then called by the Clerk, when the following Senators elect from the following Districts, appeared and presented their credentials, and were sworn and took their seats, namely :

Hon. J. J. Wortham,	All Saints,
“ Benj. W. Lawton,	Barnwell,
“ J. W. Blakeney,	Chesterfield,
“ Arthur Simkins,	Edgefield,
“ W. D. Johnson,	Marlboro’,
“ Robert Maxwell,	Pickens,
“ Benjamin H. Wilson,	Prince George, Winyaw,
“ Edward J. Arthur,	Richland,
“ George W. Oswald,	St. Bartholomew’s,
“ Edmund Rhett,	St. Helena,
“ S. W. Barker,	St. John’s, Berkeley,
“ W. M. Murray,	St. John’s, Colleton,
“ David Houser,	St. Matthew’s,
“ H. D. Lesesne,	St. Philip’s and St. Michael’s,
“ J. K. Furman,	St. Thomas’ and St. Dennis’,
“ E. H. Miller,	Williamsburg.

The President of the late Senate announced that, since the adjournment of this body, he had issued writs of election to fill vacancies in the Election Districts of Abbeville and Christ Church, created by the death of the Hon. J. Foster Marshall, and Hon. Thomas M. Wagner, Senators from those districts, respectively, and also that he had heard of the death of Hon. Dixon Barnes, late Senator from Lancaster, but that the authoritative announcement had not reached him until after the general election, and he had not therefore issued the writ to fill the vacancy. The Senate ordered the writ to be issued by the President.

Hon. THOMAS THOMPSON, Senator elect from Abbeville, then appeared at the Clerk’s desk and presented his credentials, the oath was administered, and he took his seat.

The Senate then proceeded to ballot for President, and on inspecting the ballots, it appeared that the Hon. WM. D. PORTER, one of the Senators from the election district of St. Philip’s and St. Michaels, and President of the late Senate, had been unanimously chosen.

On motion of Mr. GARLINGTON, a committee was appointed to wait on the President and inform him of his election, and conduct him to the Chair. Messrs. Garlington and Arthur were appointed the committee, and having performed the duty, the President elect, on taking the Chair, addressed the Senate as follows :

SENATORS: For this renewed expression of your confidence, be pleased to accept my thanks. I receive it as a token of your good will, which I reciprocate to you all, collectively and personally. It will be my duty and my pleasure, as it has been heretofore, to serve you diligently and faithfully in the high office to which you have again appointed me.

Since the last meeting of this body, sad changes have taken place. Three of those who then sat with us on this floor, will meet us no more upon earth. Wagner, and Marshall, and Barnes, are among the victims of this cruel war. They stood upon the outposts of duty, and were stricken down among the foremost. They sealed their devotion with their blood, and fell as brave men love most to fall, in defence of their altars and their homes. At all times, and among all nations, it has been deemed most honorable to die for one's country. No form of death is more to be coveted. It is their glory to have so died that they will be remembered with gratitude and blessing. When that for which we are battling has been fully secured,—when the country they helped to make illustrious by their self-sacrificing valor shall have come victoriously out of the fiery ordeal through which it is passing,—that country, regenerate, free and world-renowned, will cherish their memories, and strew their graves with evergreens of victory, and write their names upon the long and honored roll of her heroes and martyrs.

For us who survive, there are great duties to perform. The contest in which we are engaged is not only one which involves independence, liberty, our very existence, political and social, but it is conducted upon a grandeur of scale almost without a parallel in history. If we regard the size of the armies engaged, the number and deadliness of the battles fought, the variety of the points assailed and defended, and the immensity of the material resources brought into play on both sides, it may be safely said that no war of ancient or modern times has equalled this, much less surpassed it. Hitherto we have done well. We have compelled the respect of the world. We have disarmed foreign nations of their hostility, and converted their repugnance into sympathy and admiration. The courage and constancy of our soldiers, and the wonderful unanimity and unconquerable determination of our people, have won us tributes of which the most powerful nations might be proud. But the end is not yet. There is much more to be suffered, much more to be accomplished; there are more privations to be endured, more sacrifices to be made, more reverses to be sustained, and more victories to be won, before our title to independence shall be made good and acknowledged before the world. But that it will be so made good and acknowledged, he is worse than a traitor who seriously doubts.

For ourselves, we must take it for granted that this war, so pitilessly waged, is about to be brought nearer to our doors. South Carolina will, in all human probability, be the theatre of a great winter campaign. The dissolution of

the Convention, which has been fixed for a day not far distant, will devolve upon this General Assembly the whole legislative power of the State. It is practically so devolved already. How great are our responsibilities, to ourselves and to posterity ! We should discard all considerations of person and party, and devote our whole energies to the safety and welfare of the State. We are, happily, not a divided people. All of our possible resources can be made available for our defence. It is our duty to call these into action, to marshal them and to direct them in the most effective manner. If we succeed, a glorious career awaits us as a people ; if we fail, our towns and cities will be destroyed, our fields ravaged, our labor and property confiscated, ourselves and our children reduced to a most hateful bondage. The alternative is between freedom and slavery, between fame and infamy. The people of our State have made their choice, and are in arms to vindicate it. The soil of South Carolina may be overrun, and her territory despoiled and laid waste ; this has been done before, and may be done again ; but the spirit of her people never has been and cannot now be conquered. " It is vital, and cannot but by annihilating, die."

To sustain and uphold this spirit is our duty as legislators ; and may the great Ruler of Nations fill our hearts with patriotism, and inspire our counsels with wisdom, and crown all our undertakings with complete success.

The Senate then proceeded with and completed its organization, by the election of the following officers :

WM. E. MARTIN, Clerk.

J. C. KENNEDY, Reading Clerk.

A. D. GAILLARD, Messenger.

J. D. GAILLARD, Door-Keeper.

On motion of Mr. GARLINGTON, a Committee was appointed to wait on his Excellency the Governor, and to inform him that the Senate had met, a quorum being present, and was ready to receive any communication he might be pleased to make to them

Messrs. Garlington, Blakeney, and Simpkins, were appointed the Committee.

On motion of Mr. McCRAW, the Clerk was directed orally to inform the House of Representatives that the Senate had met and had been organized by the election of its officers, as above recorded, and is now ready to proceed with the business of the General Assembly.

On motion of Mr. WILSON, the Rules of the last Senate were adopted for the government of this body.

Mr. LESESNE offered the following resolution :



*Resolved*, That a Committee of three be appointed to make arrangements for opening the daily Sessions with prayer by a minister of religion.

The resolution was considered and agreed to, and Messrs. Lesesne, Roberds, and Houser, were appointed the Committee.

Mr. WILSON presented the petition of sundry citizens of All Saints', protesting against the return of the managers declaring J. J. Wortham elected to the Senate from All Saints' Parish, and praying that the office of Senator from All Saints' be declared vacant; which was ordered to lie on the table.

Mr. THOMSON rose and said :

Mr. PRESIDENT: To say that in the midst of life we are in death, is only to repeat, in substance, the early decree, "Dust thou art, and unto dust thou shalt return." In ordinary times, this expression meets with instant concurrence and ready forgetfulness. The cold assent reaches the understanding, but comes not near the heart. It is different now. The shafts of death, through the agency of a cruel and unprincipled enemy, have reached directly or mediately all the homes in this land; and on every side the sad cries of "Thou art my own, my beautiful, my own," and "Let me kiss him for his mother," utter at the same time the language of poetry and truth.

This honorable body, from the same cause, has not been spared, since its last meeting, a portion of this general loss and suffering. Familiar faces are here no longer seen, nor familiar voices heard. I am aware, sir, that I can do no more than announce formally, what is known to every member of this body, the death of the late Senator from Abbeville, J. FOSTER MARSHALL. His remains rest under the shadow of the walls of Trinity Church, Abbeville.

It is not my purpose, Mr. President, to present any elaborate statement of the late Senator's actions and life. It may not be improper, however, upon this occasion, to advert to some traits of character by which he was best known to his associates and fellow-men, and a few of the more remarkable events in which he was engaged.

He was a man of wide benevolence of heart. He did not treat mankind as a foe, but regarded humanity as no alien to him. He had the disposal of liberal means, and in their use, was not inclined to scrutinize, with a view to rejection, any claim upon his sympathy or help. Any assumption of severity by him would soon disappear, and in its stead, the feeling taught by the poetic prayer, "Teach me to feel another's woe," would be manifested in his language and conduct.

Thus, easily, is understood how the late Senator, with a high sense of his position as a member of this body, was ever the first, or amongst the first, to advocate all enterprises and efforts for the public benefit or private relief.

Was a railroad to be built? His voice was heard in its behalf, and his means freely used to accomplish the object. Was the agriculture of the State to be improved? No one more readily urged its importance, and advocated its progress by State and individual effort. Were the narrower interests of his own District or of his town to be served? Equally, there were his means and influence felt. Was a sufferer to be relieved, or the poor aided? You could, with certainty, designate where in such cases he would be found.

Whilst he did not view with indifference nor neglect the means by which popular regard is won and kept, I am satisfied that much of his enduring and continued personal popularity rested upon this trait of his character, which I have attempted to describe.

Maturity of manhood brought with it maturity of reflection. His judgment and heart fully recognized the obligation to regard his future destiny as paramount to all other things. A boundless field was thus opened unto him, into which I will merely say he entered with all the activity of his nature.

Soon after his return from Mexico, in the war with which he commanded a company of the Palmetto Regiment, he was elected a member of the Senate. Then a young man, and no more than eligible, by reason of his youth, he undertook a course of study, with the intent to prepare himself for the full performance of his new duties. He became familiar with the politics of the late United States, and of his own State; specially directing his attention to questions of finance, and the military law. A large part of some years of his life was spent in this pursuit. In a word, sir, he was proud of his position as Senator, and labored assiduously, that his constituents might be gratified with him.

At all periods of his life he maintained those doctrines once regarded as confined or peculiar, in great part, to South Carolina. Without intolerance to others who may have differed from him in opinion, he firmly upheld that policy which contemplated, at as early a day as possible, a total separation from the Northern States. This he sustained, whether accomplished by the action of a single State, or in conjunction with the action of other States. He believed this course the line of duty and of safety. Nor did he, when the issue was made up, and the trial by battle decided upon, shrink from vindicating with his sword what he had advocated with his words and pen. In the changes of the war he became the Colonel of one of the finest Regiments in the Confederate service from this State—the First Regt. S. C. Rifles, ordinarily known as Orr's Reg't. With it he was ordered to Virginia. In common with thousands of others, he shared the hardships and perils of the campaign. Leading his riflemen into the baptism of fire and blood of a battle on the Chickahominy, with a patriot's fire glowing in

his heart, he addressed to his soldiers, at the moment of the charge, these memorable words, "Remember the State you are from. Put your trust in God. Acquit yourselves like men, and follow me." Well was this appeal answered by that regiment of heroes. In the harvest of death that ensued, one-half fell killed and wounded, their noble leader himself passing through the battle unhurt. But on the blood-stained and glorious field of Manassas, so fatal to many of South Carolina's leading sons, he gave his life an offering to his country's cause. He died as a brave man would wish to die, at the head of the regiment he had led so long and loved so well, their steady and onward tramp around him, and their earthquake shouts of victory ringing in his ears. He fell a soldier of his country; he rose, I trust, a soldier of the Cross.

Mr. THOMPSON then offered the following preamble and resolutions; which were considered and were unanimously agreed to:

*Whereas* The State, in the death of the Honorable J. FOSTER MARSHALL, mourns the loss of a brave and gallant soldier, who fell upon a distant battle-field, upholding her untarnished name and honor, and the Senate of this State an able and diligent member: Therefore,

*Resolved*, That the State, in the death of the Honorable J. Foster Marshall, has lost a devoted son, and the Senate a member of great experience and eminent services.

*Resolved*, That as a mark of regard and respect for the memory of the deceased, the members of the Senate will wear the usual badge of mourning during the Session.

*Resolved*, That the Clerk send a copy of this preamble and resolutions to the family of the deceased.

On motion of Mr. THOMPSON, as a further mark of respect to the deceased Senator, the Senate adjourned, at half-past one, P. M.

TUESDAY, NOVEMBER 25, 1862.

The Senate met at 12, M. Prayer by the Rev. Wm. Martin.

## ADDITIONAL SENATORS.

The following named Senators elect, from the following Districts, appeared at the Clerk's desk, their credentials were presented, the oath was administered, and they took their seats, viz :

Hon. J. L. Manning,	Clarendon.
" F. J. Moses,	Sumter,
" D. H. Ellis,	Prince William's.
" J. W. Miller,	Spartanburg.

Hon. C. R. Boyle, Hon. T. Edwin Ware, and Hon. R. L. Hart, appeared in their places in the Senate chamber.

Mr. GARLINGTON, from the Committee to wait on the Governor, reported that the Committee had performed the duty assigned to them, and his Excellency had informed the Committee that he would be prepared to communicate with the Senate this at day half-past 12 o'clock, P. M. At that time the Message was read to the Senate by Mr. Melton, and, on motion of Mr. GARLINGTON, it was made the special order of the day for 1, P. M., to-morrow, and the usual number of copies was ordered to be printed.

## MESSAGE NO. 1.

*Gentlemen of the Senate and House of Representatives :*

Since the last Legislature met, the country has gone through scenes such as are but seldom witnessed in the destiny of a people. Amid the fierce and bloody conflicts through which we have passed, South Carolina has lost many of her bravest and most talented sons, and whilst we deeply feel and grieve for their loss, we yet are consoled by the proud reflection that the urns which hold their ashes will stand around our household altars as precious mementoes, to be loved and cherished through all time. I trust that you will immediately take steps to provide for the families of our heroic dead in such a manner that none shall feel the sufferings of want. It is our solemn duty to discharge this, our first debt of gratitude. An agent has been appointed to make a roll from the most authentic sources, and this



will aid your deliberations in ascertaining where there may be any want amongst the families of such as have fallen in our defence.

The country is in a far stronger condition for defence than it was a year ago. All the arms and munitions of war are more abundant, and we are now making for ourselves such necessary supplies as last year we were entirely without. Pressure and difficulty have forced up productions not thought of before. These stern lessons are necessary to make us, in reality, an independent people. If our nationality had been admitted without a struggle, such compromises, relating to trade and commerce, might have been entered into as would, in the progress of time, have brought us practically back into colonial servitude. Whereas our independence, achieved by suffering and blood, will be prized more dearly and become more permanent. This is made absolutely necessary by the difference of races, and the radical differences in the internal civilization of the two great sections.

The old Government had fulfilled its destiny. It was formed to prevent re-conquest by any European Government. We had outgrown that state of things. By the repeated elections of the chief magistrate, the people had been brought together to act as one people, instead of preserving the Confederate principle of separate States. All great Republics usually rely upon the choice of a chief magistrate. In our system, that provision of the Constitution forming an independent electoral college was, in the progress of events, entirely subverted in its spirit, and the election of President became the mere action of the people as a whole, thus converting the Government into a simple Democracy of numbers, instead of a Confederacy of States. The fundamental organization of the Government was a Confederacy of States, and this election of the chief magistrate became practically at war with this great principle. The inevitable consequence was, that the Government must necessarily become a consolidated Democracy, where the separate power of the States would be absorbed, or there must be a revolution, in order to sustain the great federative features of the compact of union. Although the term of office is lengthened, and there can be no re-election by our new Confederate Constitution, yet, in the course of time, it will become liable to the objection that the mode of election or appointment of the President is, in its practical operation, in conflict with the leading principles of a Confederacy of States. The Government must be simple and harmonious in all its main parts. If it be a Confederacy, the appointment or election of President should be by the States alone: if it be a Democracy, then it should be by the people as one people. It is almost certain that a mixture of the two great principles, if not modified, must inevitably lead, in the process of time, to conflict and separation.

The great weakness in all Republics is a want of fixed forms and estab-

lished orders in society, by which the conservative interests and wealth of the community may become permanently identified with the Government and its administration. No Government can last unless it commands the regard and support of the virtuous and intelligent portion of society. Any Government whose practical operation drives all this class from any interest in its honors and its action, must necessarily fall into corruption, degradation, and speedy dissolution. In these Southern States, our slaves, which occupy the lower strata of society, give us the ranks and classes out of which a conservative government can be formed. And if the action of the separate States can be felt and acknowledged in the habitual administration of Government, then we shall be able to secure through them a substitute for the great landed interest and hereditary classes in other forms of government, so essential to the stability and conservative firmness of any form of government calculated to command the permanent support of the virtuous and intelligent.

The Northern States are doomed to great conflict and confusion amongst themselves, from the want of a conservative basis of society in any acknowledged ranks or orders in the organization of their political and social system, and they must, in all probability, run from absolute Democracy into anarchy or civil war, and thence into a military despotism. Under a military despotism they will become dangerous to us; and when we emerge from this terrible war, there will be many pretexts to induce us to adopt a more military and absolute form of government also. It will require all the wisdom and firmness of an enlightened public opinion to shape our Government so as to avoid the calamities of a consolidated military form of government. The existence of an army, the largest, in proportion to our white population, that has ever been created by any people, will add greatly to this danger.

We were the first State to withdraw from the old Union, under circumstances of great peril, and the other States nobly came to our side, and they have suffered the greatest ravages of a bitter and malignant war. It is, therefore, the part of magnanimity and patriotism for us to make as few issues or complaints as possible against the action of the Confederate Government. Our present duty is to give it a cordial and warm support, with all our resources, for defence against the fanatical and infamous enemies of our common country. Withhold nothing, and make no complaint calculated to weaken the hands of the Confederate authorities in any particular. This is the reason I do not think proper to urge any objection to the Confederate Acts of Conscription, although I deem all such Acts against the spirit of the Constitution. It was intended by that instrument that the Confederate Government should usually call upon the State authorities to furnish their quotas for all military service, except when Congress might deem it neces-

sary to create a standing or regular army. It might, perhaps, be more expedient, also, to allow each State to organize its quota, according to some plan adapted to its own local interests, particularly if the mode and manner of executing conscript laws should lower that grade of service in the public estimation. There is a great State necessity, at present, for such laws; but the general spirit of the Constitution intended that in the raising of all military forces, excepting an enlisted regular army, the Government should act through State authority, rather than directly upon the people as a consolidated whole. It savors strongly of absolute power to absorb all the material, in men, of the States without consulting the local authorities, and to call it out without the agency of the States. Nothing can justify such action but the nature of the implacable war in which we are engaged, involving, as it does, not only subjugation, but our total extermination as a people. Congress has passed two Conscription Acts, and our whole force, from eighteen to forty-five, is subject to Confederate service at any day. It may be said that the State has now no military system, and I urge your immediate attention to this all-important subject. Some action is absolutely necessary as soon as possible. I would recommend that the remaining force that we have, which consists in men from forty-five to sixty, and youths from sixteen to eighteen, be organized under some system of military police. Let them be formed into companies in each District, and let there be a regular District guard formed, of some sixty-four men, with the necessary company officers, and stationed at the Court-Houses of each District, to perform State guard duty, each company alternating every four weeks, or for such period of time as the Governor may designate, and in such Districts that he may select as necessary, under whose command, for the time being, the whole police duty of the District shall be performed. To make this efficient, let State arms and fixed ammunition be deposited in the District prisons, for the use of these companies, and the lower story of these buildings be made their barracks. To make this police guard more efficient, a few horses for couriers should be kept. A system somewhat similar to this has been proposed by the Council, but I recommend it to your revision, so that representatives from the different Districts may suggest any additions or amendments.

The President of the United States has recently issued an infamous proclamation, with a view to incite insurrection, and although I consider it instigated by base principles of atrocious warfare, contrary to all the usages of a civilized people, yet, with firmness and organization, it will produce none of the objects intended by its vulgar author. If I had the military power, or our State forces actually in service, I would, of course, issue a proclamation, directing all enemies taken acting under that proclamation to be tried and executed as felons, or even more expeditiously. But the forces

in the field are nearly all under Confederate command, and from necessity the whole matter is left with Confederate authority. But to protect ourselves from any efforts, instigated by the deluded or the ignorant, I would urge the immediate organization of a large State Police Guard, under the direct command of the Governor, to be ordered out at such times and in such Districts as he may think proper, and to be kept at least for some months in actual daily duty, to give a feeling of safety to the helpless portions of our communities. We have arms and ammunition to put into the hands of such a State Guard, and let it be done thoroughly before the first of January. In connection with this, let a cadet, from the graduates of our Military Academy, or one of the senior class, be appointed and assigned for duty as drill-master—one for each of these State companies, at each Court-House in the State. If any emergency arises, let the captains of the local patrols be ordered to report occurrences to the captains of those central District guards. In those Districts where Provost Marshal courts exist, these guards might be used by the courts to great advantage.

Some more efficient system should be adopted for the protection and support of the families of our soldiers in service. The taxation for that purpose should not be on the District alone for the support of the families of soldiers from such District. As the law now is, the soldiers' relief committees, appointed by the last Legislature, are limited to forty per cent. upon the general taxes of such District. The Districts in the upper portion of the State furnish far the largest portion of soldiers, because of the preponderance of white population, and these are the very Districts that raise the least general taxes, so that the forty per cent. upon these taxes furnish but a poor supply to their soldiers' families, whereas the fund is more than ample in those Districts where the white population is sparse, and the slaves dense. The soldiers from the former Districts do not go into service to defend their mountain homes only, but they go to defend the State, as a State, and are required precisely where, from the nature of the population, the local defence is weakest and the country is most exposed.

I urge that the system of property valuation in this State, adopted in eighteen hundred and eight, be changed to a more equal and just system, and that taxes to support the families of our brave soldiers in the field be at least forty per cent. upon the general State taxation, and be distributed from a common fund, thus raised from the whole State. It is due to justice and fairness that this should be done. I would further recommend that each planter be required by law to contribute . bushels of corn for each hand liable to road duty, and that the District committees for the relief of soldiers' families be authorized to call for the same, or any part thereof, to be distributed as they may direct. Efficient measures should be taken to secure all that may be necessary for the support of this class of our



people. While our poor and patriotic men are exposed in defence of our homes, we owe it to justice and to every generous and manly feeling to place their helpless families beyond any suffering. The committees for their relief in each District should be selected with great care, and one, at least, should be located in each battalion of the State, and two responsible men at the Court-House of each District. They should be required to hold their meetings once a month, through the winter months; and if they know certainly of undue speculation by any individuals in any of the breadstuffs, they might be authorized, upon affidavits made to the facts, before any magistrate, to seize all such breadstuffs for the benefit of soldiers' families; and the same power might be given them to seize any grain to be used by any distillery not authorized by law. These commissions should be required to make their full reports regularly to the Judge, at every meeting of the Court of Common Pleas in the Districts, and the reports should be published as soon as made.

I recommend that the Act passed the twenty-first day of December last, entitled "An Act to extend relief to debtors, and to prevent the sacrifice of property at public sales," be repealed, except so far as it extends to all persons in actual military service. There is no reason why those at home, and not in military service, should not pay their debts; on the contrary, there is great reason why they should.

The profits of the Bank of the State, the President informs me, have been, for the past year, three hundred thousand dollars. From this is to be deducted, for interest paid to holders of stocks issued to holders of Blue Ridge Railroad Stocks, forty-seven thousand seven hundred and ninety dollars; also, amount paid to holders of State Bonds, issued in eighteen hundred and sixty-one, to the amount of four hundred thousand dollars—one-fourth due—one hundred thousand dollars, of which the amount presented—seventy-seven thousand five hundred dollars—was paid. The balance was passed to the Sinking Fund—one hundred and ninety-one thousand six hundred and fourteen dollars and seventy-one cents—after deducting the other usual items. The Confederate War Tax, advanced by the Bank, is sixteen hundred and forty-seven thousand five hundred and ninety-seven dollars and forty-three cents, (\$1,647,597 43.) There is now in the Treasury twelve hundred and thirty-one thousand five hundred and seventy dollars and thirty cents, ready to be paid over to the Bank for this advancement, and all the returns are not yet made. I transmit with this a letter from the President of the Bank. The amount of capital the State has vested in this Bank, from all sources, may be put down at about four million of dollars. We are, as far as I am informed, the only State that has such an institution, and we are deeply interested in preserving it, if possible, from bankruptcy or injury. From the extraordinary emergencies of this revolution, the Confederate Govern-

ment has been obliged to issue a very large amount of credit circulation in the shape of Treasury Notes, and by the sale of bonds drawing eight per cent., the Government has absorbed much of the capital of the country in this investment. They have also been authorized to have subscribed, for the use of the Government, a large amount of the produce of the country, upon certain conditions. All these items embrace, in amount, several hundred millions. The banks have agreed to take Treasury Notes in adjustment of all balances between themselves. To this extent, they are thus made equivalent to gold and silver, and of course it gives them almost exclusive circulation. If the war were to close, the Government, for some time, would be the largest exporter of the produce of the country, and by these exports, which are so universally demanded in the commerce and trade of the world, they would command gold and silver, or foreign exchange, to the amount thus shipped, which would be used as a basis for sustaining their credit circulation. This would bring them into direct competition with all the local banks, and we should, by strengthening its resources, prepare our State Bank for this issue. From the necessity of the case, the Confederate Government will be compelled to have an Exchequer Bank, in some shape or form, and Commissioners, or Government Directors, must be appointed to administer it, for there will be growing up a power too vast to be trusted in the hands of any Secretary of the Treasury. It will be a power deeply affecting not only all the local banks, but the commerce of the country and the distribution of wealth. As the bills of our State Bank are in demand, and our people are used to them, I would recommend that the State set aside an amount, in them, which may be deemed necessary, and stamp them, by authority, as bills for which the State itself is responsible, and use them instead of borrowing any more from the banks of the State. Let the President and Directors of our Bank be authorized to use this paper, so stamped, in exchange for the Treasury Notes that now circulate, on such conditions as they think best for the State, and these Treasury Notes could be used in all disbursements of the State. The notes of the Bank of the State, thus set aside and stamped, would be able to maintain their circulation, if not excessive, under any circumstances that might arise after peace, and might be finally used by the State to strengthen the Bank in the conflicts that must arise. There is no reason for our continuing to issue State Bonds, to be taken up by the banks, and our giving them seven per cent. for their paper in exchange. It is, in substance, giving them the credit of the State in exchange for their credit, and seven per cent. difference besides, when, in fact, the credit of the State is better, or ought to be, than that of any of the banks with which it is exchanged. I therefore urge you to take up this subject, and use our own State credit in some such way as I have suggested. True, the Constitution says that no

State shall "emit bills of credit," but a "bill of credit" has a distinct commercial meaning and form. The form in which I propose to use our State credit, on the bills of our own Bank already in circulation, is not strictly making "bills of credit." Certain funds are set aside by the State, and a corporation is created, under the style and title of a bank, in order to bank upon these public funds thus set aside, and this fund is alone responsible for the bills issued upon it, and not strictly the State. We have the Bank, and there is little business doing on private account now, and, in this great emergency, we can use the bills of our own Bank for the benefit of the State.

The Legislature wisely legalized the suspension of all our banks. It would be proper that you should inquire into the conduct of these institutions, and if a course has been pursued by any of them deemed not patriotic or proper, then the benefits of the Act should be suspended, as far as any such banks are concerned. From what I have heard, I believe that all of our banks have acted with a patriotic and loyal determination to sustain the Government fully, but I do not profess to be entirely informed on this point.

I have heretofore recommended that a more just and equal valuation of property be made in the State for taxation, and that the two treasuries be united in one. I would most respectfully again urge the same recommendations. The last would require an alteration of the Constitution. The present Legislature should, at least, enlarge the objects of taxation, and tax the evidences of luxury and accumulated capital more, while, at the same time, the taxation on productive or active labor should be reduced. You will be able to see, from the Comptroller's Report, how the collection of the Confederate War Tax operated, and I recommend it to your attention. The State taxes collected for the fiscal year have amounted to seven hundred and ninety-three thousand three hundred and fifty-three dollars and ninety-seven cents, (\$793,353 97;) and the common civil expenditures have amounted to eight hundred and thirteen thousand five hundred and thirty-five dollars and seventy-three cents, (\$813,535 73.) The extraordinary expenditures, under the Ordinance of the Convention for the "removal of negroes and other property," and so forth, have been sixty-seven thousand four hundred and seventy-six dollars, (\$67,476;) and for the relief of the sufferers by fire in Charleston, thirty thousand, (\$30,000.) The collection of the State War Tax, up to the thirty-first of July last, amounts to one million two hundred and thirty-one thousand five hundred and seventy dollars and thirty cents, (\$1,231,570 30.) The balance of this War Tax, under the second collection directed by law, ending the fifteenth day of November, has not yet been returned; and in several of the Parishes the collectors have been directed to

suspend the collection of the same in those portions of the Parishes in possession by the enemy. Copies of these orders are herewith transmitted.

The total amount expended by the State, both civil and military, up to the thirtieth of September last, is two million five hundred and fifty-two thousand one hundred and ninety-five dollars and forty cents.

Congress has passed an Act exempting certain districts that might be in possession by the enemy, or in such a disturbed condition as to prevent collection, from the collection of the War Tax. I have notified the Secretary of the Treasury as to what Parishes or parts of Parishes I think come under the provisions of this Act. A copy of the correspondence on this subject is herewith transmitted. There is yet a small balance to come in, and the exact amount allowed us, for the Parishes we have claimed to be exempt, has not yet been entirely settled.

The last Legislature, in every thing relating to the military expenditures, made but one item of appropriation, which was for "military contingencies," and amounted to eighteen hundred thousand dollars, (\$1,800,000,) but three hundred thousand of it was estimated as already due the Bank for advances. This would leave fifteen hundred thousand dollars, (\$1,500,000,) strictly for military contingencies. This sum was directed to be raised by the Bank of the State, selling bonds of the State drawing seven per cent. interest. The different banks of the State then took these bonds in proportion to their respective capitals, the proceeds of which were deposited in the Bank of the State. The amount of the bonds thus negotiated for, is one million two hundred and eighteen thousand three hundred and seventy-seven dollars and seventy-two cents, (\$1,218,377 72.)

On the ninth of January last, the Executive Council held its first informal meeting, and on the sixteenth it was efficiently organized. Two Chiefs of the Treasury were at first appointed, and had charge of all the disbursements and accounts. I refer to the Report of the present Chief of the Treasury for a statement of its administration, and of all details connected with his department. It will be seen that, of the sum above named, there has been expended one million one hundred and sixty thousand four hundred and thirty-nine dollars and forty-seven cents.

A clear abstract of the same, made by James Tupper, Esq., is herewith transmitted and referred to.

Of the amount above named, there was three hundred thousand dollars appropriated by the Council for a State gun-boat, which has been accepted by the Confederate authorities, and that Government is now bound for it by agreement.

I refer to the very clear Report of General DeSaussure, Secretary of the Treasury, for the amount of all funds used from June, eighteen hundred and sixty-one, up to the ninth of January last. There is with this an im-



portant book, giving the aggregate amounts under different heads and departments. The items are all set forth fully, and the report accompanies this.

Congress passed an Act appropriating two million one hundred and eighty-nine thousand nine hundred and ninety-five dollars and seventeen cents, dated March the eleventh, eighteen hundred and sixty-one, expressly to pay us for expenditures for and on account of all troops in and around Charleston, from the eighth of February, eighteen hundred and sixty-one, and we have received payment, through General DeSaussure, on account and vouchers presented, of two hundred and ninety-four thousand four hundred and seventy-five dollars and ninety-three cents. This, added to the amount received through Judge Frost, makes six hundred and fifty-four thousand seven hundred and forty-four dollars and thirty-four cents. Add to this the thirty-two thousand dollars (\$32,000) paid for the Lady Davis, and the eighteen hundred dollars received from Major Lee, Confederate Quartermaster, for horses purchased from this State, and it makes an aggregate of six hundred and eighty-nine thousand and four-four dollars. There is still a large balance due us under that Act—about \$1,314,162 99.

The amount the State expended from the twentieth of December up to the ninth of February, the period we were alone, is a subject of just claim against the Confederate Government. We turned over the forts and public arms and stores which we acquired during this period, and, of course, we should be refunded the expenses incurred, particularly as the Confederate Government gained a full equivalent.

I recommend that an Agent be appointed, whose duty it will be to attend to all these claims, and have them acknowledged, as soon as the Government may be in a condition to adjust them. I sent on General DeSaussure to settle our accounts under the Act of Congress above referred to, and he, by his energy, had made great progress, but the difficulties of the Government and the great pressure in the country, made it proper to suspend any very urgent demands under the then existing circumstances. Judge Frost, the former head of the Treasury, also showed much assiduity at Montgomery in adjusting many of our claims, and he did obtain three hundred and sixty thousand two hundred and forty eight dollars and forty-one cents. His report comes up to the eleventh of May, eighteen hundred and sixty-one. It will be seen by the report from General DeSaussure, herewith transmitted, that not a cent from public funds was lost in any quarter, and that all accounts, from the heads of every department, were fully and correctly rendered up to the ninth of January, eighteen hundred and sixty-two. The \$250,000 advanced for claims, stands on a different footing. I recommend that just compensation be made to General DeSaussure.

I refer to the Adjutant General's Report, which is herewith transmitted.

It will be seen that we had actually mustered into Confederate service, up to the ninth of January last, the period when the Council was inaugurated and remodelled the Executive, thirty-two thousand one hundred and forty-six men, all armed by the State. All estimates made after that time are necessarily conjectural, as, under the Conscription Act passed by the Council, and the Conscription Act of the Confederate Government, many men went into service as individuals, and joined such companies and regiments as were already in service, and no authentic reports have been officially made from the officers commanding such companies or regiments as to the number thus received. This increase in our forces resulted from no particular organization, but from the choice of the men, who preferred to join such regiments rather than wait for particular commands. It has been merely conjectured that the number heretofore mustered in from this State was about forty-two thousand. Recently, eight regiments of State Reserves, which may be estimated at six hundred each, have been received, by special arrangement with the Secretary of War, for ninety days' service in the State.

I transmit herewith the Quartermaster General's Report, which gives a full statement in detail of supplies on hand up to the ninth of January, from which it will appear that in large amounts the material for our soldiers—blankets, shoes, wollen clothes, and all the essentials—the purchases of the same were ordered by myself, and made previous to the formation of the Council, and that since that period but little has been added to the stores then on hand. The funds which have been collected in this department from the Confederate Government have been principally acquired by our being refunded for the cost of this material, in advancing it to our soldiers. Recently large supplies of clothing and blankets have been sent from the Quartermaster's department to our soldiers in Virginia, and of course you will immediately appropriate a sufficient sum to provide all necessary clothing for our men who may be suffering in Virginia or elsewhere.

I also refer to the Commissary General's Report, to show that, up to the same period, the supplies of bacon, flour, salt beef and salt were almost entirely purchased and procured previous to the same period, and the department has been reimbursed in the same way.

I would suggest that you take the first steps necessary to amend our Constitution so that the Governor shall be subject to re-election. There is no reason why so important an office should be filled every two years by a new man, if the duties have been performed faithfully. Just as soon as he becomes thoroughly acquainted with the duties of his office, and informed as to the wants of the State, he has to leave his office, and another is selected to go the same round. Besides, if the office is important, the Governor should be held responsible by being subject to re-election, and by being brought

directly under the censure or approbation of those who have the power to continue or dismiss him. There is still a higher consideration why the Governor should be subject to re-election, or his term of office be lengthened, and that is because it is all-important to add to the power and influence of the State amongst a Confederacy of States. Make the chief magistracy an office of high responsibility and dignity, and thus, too, you make it an object worthy the highest ambition, to be sought by men of talent and character as their ultimate aim. This will tend to prevent that class from too eagerly seeking honor and distinction alone in the offices of the Confederate Government. The reason why the framers of our wise Constitution limited the office of Governor to two years, and gave such small powers to the incumbent, arose from the extreme sensitiveness that was engendered in our early colonial struggles with the mother country. The colony was, more or less, all the time in conflict with the Governors of the Crown, sent out to govern the province, and our ancestors began to think that the great danger to liberty came only from the Executive branch of the Government. They, therefore, carried out this jealousy towards a Governor's power by giving but little power, in times of peace, to the Executive office. This was eminently wise, when the appointing power was in the Crown, and that Crown interest antagonistic to the people or the interests of the State. Under our system, the people occupy the same position, as far as government is concerned, that the Crown interest does under more arbitrary forms of government. The power of the Governor is no more than the power of the people, as he is their agent, and responsible to them. As we are to commence a new career, under a new Confederacy of equal States, I think there could be no more fit occasion to reorganize the Executive branch of our State Government, which might be made to add greatly to the dignity and real power of the State. I would recommend, in connection with this subject, that the appointment of ordinary, sheriff, and tax collector for the Districts be made by the Governor, with the advice and consent of the Senate. These are not properly mere District officers, but officers for the State, engaged in the administration of general State laws, and the appointment thus made would generally secure the most energetic and impartial administration of those laws. It is the election of salaried officers that tends to corrupt the people, and to lower the tone of public opinion, and involves them in a constant round of low electioneering and combinations for the possession of monied offices, all unfavorable to elevated feeling. The true principle of a Republican Government is to make all legislative offices subject to election by the people, so that the law-making power may emanate directly from them, and to confine this representation, thus elected, to small localities or divisions, and let all those who administer the general laws of the State be appointed by State authority. By confining the elec-

tions of the people principally to those who make the laws, you elevate the elective franchise, and make its exercise a high and sacred duty, deeply valued; but enlarge it to offices of profit, and exactly the reverse is produced. We have esteemed this high and noble privilege of the people too lightly. The experience of popular elections, and of extending the extreme principle of democracy to all offices of all kinds, has been full of bitter fruits. We see it in the universal profligacy and vulgar brutality that is exhibited in all the Northern States, corrupting the very fountains that spring up around the temple of liberty, where the people gather to worship the new idols of their daily creation. If we are wise, we will have the manly independence to avoid these extremes, and to realize the great truth, that liberty does not consist in unbridled privileges to the people, but in a system of wise laws, virtuously and firmly administered. Considering my position, I would be unfaithful to my trusts if I should use the measured language of flattery, and disguise the truth.

This bloody revolution has taught us many solemn truths, as to the unlimited elective franchise, and the extremes of democracy, and the people will perceive them, if public men and politicians will do their whole duty, and not use the smooth language of flattery, intended but to deceive and betray.

Perhaps this may not yet be the proper time, but I cannot forbear from calling your attention to the duty you may owe your State, to incorporate into our Constitution a principle refusing to allow any man to vote, except those who were citizens at the time of our adoption of the present Confederate Constitution, or unless hereafter born in some one of the Confederate States. I would make it the highest privilege of a freeman to vote, and a mark of rank, and therefore allow none this privilege hereafter unless born in this country. Let it be made, by all the safeguards of fixed law, as high a mark of pride and rank to be called a citizen of this Southern Republic, as in former times it was, in Rome, to be called a "Roman citizen." This can never be done with indiscriminate elections, and granting the privilege of voting indiscriminately to strangers and foreigners, who make only a short sojourn, without interest in our country, and without knowledge of our peculiar institutions. To exercise a sound discretion in this high privilege, upon which the liberty and purity of the country depends, can only be acquired by that kind of education which is alone obtained by being born and raised here. To make this privilege common is to throw away a pearl, around which glitters every thing that is bright and pure in Republican government.

It is a source of deep regret that the war has suspended our literary and theological institutions, and more especially our State institution. I was opposed to it, and endeavored to procure the adoption of a measure which,



I was in hopes, might have saved them from the necessity of being brought under influences that have drawn off the students into military service in the field. I desired that they might be organized into separate and distinct corps, and kept under officers appointed or selected from their professors, and held under military organization, and thus kept from being absorbed by general service in the army. If the State should have been in a pressing emergency, they could have been ordered out, and all institutions of that kind in the State could have been kept together under an independent, united command. But it was decided otherwise by those who had the authority, and, as they thought, from necessity. The consequence is, that all are now suspended, and it is to be feared that the injurious effects will be seriously felt in the progress of events. I hope, however, that no considerations will ever induce the State to take any steps that may lead to a withdrawal of its patronage, heretofore bestowed, upon this noble institution. It is too deeply consecrated in the hearts of our people, by the blessings it has shed over the State, ever to be abandoned. Under existing circumstances, however, it cannot be expected that the appropriations should be as large as heretofore. I therefore recommend that the salaries of the Professors be reduced, for the present, one-half, so that we may be at least able to secure and retain the services of the very able Professors, who are now temporarily thrown out of employment. As the Library is still regularly opened, and is very useful, it ought to be strictly kept in order, the same as ever. Perhaps, therefore, the Librarian should receive his usual salary, which is but small.

In these distressing times of great pressure and derangement in supplies, I earnestly recommend to your most charitable protection the Lunatic Asylum, and also the Christian and benevolent Institution for the Deaf, Dumb and Blind. The great increase of prices in breadstuffs will require some addition to the usual allowances for the support of the unfortunate who may be too poor to pay for their own support. The reports from these institutions are referred to your attention. I also call your attention to the Report of the Trustees of the Marine School at Charleston. It deserves your patronage.

The report of the Superintendent of the State House, herewith transmitted, is referred to your special attention.

In my Message to the Extra Session of November, eighteen hundred and sixty-one, I called the attention of the Legislature to the state of our Military Academies. I now take this occasion earnestly to suggest again that their capacity for usefulness be enlarged. As all other institutions are now suspended by the young men going into the war, our State Military Academy is the only public institution practically open to education, and surely, at this period, no system of education can be more essential to our success and defence. As we are now involved in an entirely new state of things, I

would recommend that you increase the number of Visitors, and that they be filled by election, exactly as the Board of College Trustees is now filled, or, as it is a military institution entirely, perhaps the appointment might be by the Governor, with the advice and consent of the Senate. It is worthy of your immediate consideration how far this institution, in all its branches, should be enlarged, and arrangements also made to receive cadets from other Southern States. A portion of the college buildings might be, for the present, assigned for the use of cadets, if more than usual are admitted. There are more applicants this year than common. I transmit with this a letter from General Jones, Chairman of the Board of Visitors, and recommend that an appropriation be made to enlarge permanently the buildings at the arsenal. The State should select the sons of meritorious officers who have fallen in battle, leaving no means, and assign a son of each for education in this institution, and the sons of our heroic naval officers ought also to be included. It is due to many who have left their children penniless, and we owe it to ourselves, that they should not be neglected. Our State is comparatively small, and cannot rival, in physical resources or material developement, the larger States, but by a high grade of military education, as well as every other system of culture and education, we can enlarge our influence and usefulness. We can only hope to enter the race for power and ascendancy by the high moral and intellectual endowments of our people. Large territory and natural resources, with a large population, will make any State powerful, but to make a small State a great one, with power and influence, requires profound wisdom in measures calculated to develop intellectual and moral culture, as well as devoted patriotism and heroic valor. While other States expend millions in aid of material advancement, we must spend millions in thorough education.

Our principal arsenal and depot for small arms ought to be permanently in Columbia. The climate is dryer, and more suitable for both powder and arms, than Charleston.

In previous communications to the Legislature, I called attention to the importance of establishing a manufactory for small arms, and indicated Greenville as having had such a factory in the war of eighteen hundred and twelve, and I also drew attention to the iron of Spartanburg as being eminently suitable, from its great adhesive qualities, for large cannon, and so forth. The Executive Council have made such an establishment at Greenville, together with a foundry. The place is well selected, and the practical judgment of the Chief of Construction, aided by the energy and mechanical talent and knowledge of the Superintendent, has forced the establishment into rapid maturity. I refer to the reports of both these officers, and also to the report of Major Eson, State Ordnance Officer, for all details, and most cordially recommend the whole matter to your immediate atten-

tion. The Legislature, by the Act of eighteen hundred and sixty, created a Board of Ordnance, with an ordnance officer, ranking as colonel of artillery, with a salary of three thousand dollars. The law required this Board of Ordnance to be appointed by the Governor, and the ordnance officer to be appointed by the Board. Since the resignation of Colonel Manigault, an officer was appointed by the Council, with the rank of major, and a salary of eighteen hundred dollars. I recommend that the original rank and pay of the officer be restored, and that the foundry, together with the factory for small arms, be placed directly under the supervision of the State Ordnance Officer, as part of the duties of his office. The whole military resources of the State, with all our men up to forty-five, are now, by law, placed under the immediate control and absolute command of Confederate authority, and if, under these circumstances, it should be thought more expedient to transfer this establishment over to the Confederate Government, it could now be done without the slightest loss to the State; but if this course should be pursued, a condition should be made that, at the close of this war, it should then be transferred back to this State. It ought to be our policy to keep up a State Armory, in order to place the supply of arms for the State beyond all contingency in any future emergency. We have seen the danger of our position recently, and I trust the day will never come again that will find the State without an ample supply of arms.

The Council established a saltpetre plantation near this place. I believe it is the first of the kind ever established in our country. The expenses have been moderate, and I refer you to a report from Dr. Ford, the Superintendent, for all details. There was great danger of scarcity in the material for gun-powder, and it was deemed essential to put ourselves beyond difficulty as to this matter. It is hoped that it will soon begin to yield returns. As an experiment, it was eminently useful, in calling public attention to the enterprise. If it is thought proper, I have no doubt the whole matter could be turned over to the Confederate Government without loss. In several countries in the north of Europe, taxes are partly paid in saltpetre, so essential is it to a country's independence. Perhaps it might be proper to place it also directly under the supervision of the State Ordnance Officer, if the State retains it.

The Executive Council have repealed all their laws, or resolutions having the effect of laws, relating to distillation of spirits, to take effect at the close of your present session. I call your attention to this, because I deem it of the highest importance to the welfare of the people, and particularly to our soldiers, and their families at home, that you should pass the most stringent laws against all distillation of spirits from grain, except for medical purposes alone, and I trust a wise and energetic system will certainly be adopted by which your law, in relation to this matter, shall be strictly en-

forced. The reasons for this are so obvious that it is not necessary to urge them.

The Executive Council have endeavored to stimulate the manufacture of salt, and fifty thousand dollars were set aside for this purpose. Much has been done, but much more is required to be done to satisfy the wants of the people as to this great necessary of life. I refer you to the report of the Chief of Justice for details on this subject. I endeavored to make a contract with the owners of the salt works near Abingdon, Va., but they accompanied their proposals with such conditions, bearing upon the private rights of one of our distinguished citizens, who holds a mortgage on the works, that I could not, with justice, think of accepting them. I appointed a gentleman to try and make arrangements for transportation over the railroads for one hundred thousand bushels, but he found it impossible to get it. Besides, I do not believe any large amount of salt could be procured, within the time we required it, from the works, even if I could have obtained transportation. I hope, by the production now being furnished from our own coast, which is increasing, that by the last of January enough may be procured to suffice, upon the most limited economy in its use. Three hundred sacks of Liverpool salt, a part of that which I took in our different towns last year, for the State, have been recently directed by the Council to be sold, in small amounts, by the committees for the relief of the soldiers' families in the different Districts. True, the wants of the poor are very serious, but it is incident to our situation in this great struggle for our homes and existence, and I trust that those who have the supply and the means will use all their best exertions, in every neighborhood, to see that there shall be no actual suffering.

The last Legislature created by law Provost Marshals, with their Associates, in the sea-coast Districts of the State, and allowed their establishment in any other District, not already provided for, whose representatives desired it. These Marshals established courts, under instructions which I sent them—a copy of which is herewith transmitted. I suggest that the books and records of these courts be examined, and that the whole matter be revised by your body—suggesting such amendments as may appear proper, or discontinuing them, if you think it best. My impression is, that under proper accountability, they might be made of great use in our present situation.

One great cause of the unanimity and deep enthusiasm of the whole people in this war for our independence, arises from the fervor and religious zeal in the cause which our clergy and laity, of all denominations, have manifested. They have made it almost a holy war. Added to this has been the patriotic and intense feeling our women have universally exhibited. No men who have such mothers, such wives, and such sisters, were ever



born to be enslaved. We, of this State, owe a debt of lasting gratitude to the women of Virginia, in particular. There is scarcely a mother, a wife, or a sister in South Carolina, (and there are thousands,) mourning for the loss of their loved ones that have perished on the bloody fields of Virginia, whose grieving heart has not received comfort from the thought that the sinking soldier and hero had his dying moments soothed by the kind attentions of some tender female of Virginia. No people of any age or country have ever suffered more than they have in the noble State of Virginia, and no people, with the same amount of population, have ever, in the annals of history, presented to the world more captains of higher qualities to lead and to command, or soldiers of more heroic valor, than has Virginia, amid her terrible sufferings; and hereafter, when asked for her jewels, Virginia will not be confined alone to her sons, but she can turn and proudly point to her daughters, as pearls that will throw a more royal lustre from her diadem of honor.

I would recommend that an energetic, responsible Agent be appointed by the State, to be stationed, for the present, at or near Richmond, whose duty it will be to aid and assist our sick and wounded soldiers in obtaining their furloughs in proper form, and transportation also, both on their coming home and returning, so that none shall suffer from ignorance or neglect. This Agent could be charged with seeing that all aid and assistance, in supplies of all kinds for our soldiers, should be properly attended to and forwarded. It might be, perhaps, of great relief to the helpless and uninformed of our men, who may be exposed to imposition or neglect. I would respectfully suggest that this Agent may have the rank and pay of a captain in service, and a limited sum of money might be placed in his charge to relieve all the pressing and immediate wants of the needy, who are sick, wounded, or honorably discharged. This appointment might be made by the Governor, by and with the advice and consent of the Senate. Although I agreed to the mode, because it was the best I could do under the circumstances by which I was surrounded, yet I do not think that any Executive Council is a fit and suitable body to make appointments in the military, as a general rule. I still think, however, as I have heretofore urged, that, during revolution and war, the most suitable way to fill all field offices for active service, is for the appointment to be made by the Governor, with the advice and consent of the Senate. The representation in this body of every Parish and District in the State, would enable it to judge of any unfit nomination made by the Governor, and to refuse it.

It is necessary that the Legislature should agree upon some permanent plan by which negro labor shall be furnished, for work to be done along our sea-coast, and particularly for the defences of Charleston. The manner in

which the impressment of this labor has been executed, has produced an unpleasant state of feeling, and much complaint. Then the extremely careless government that has been instituted over them, after they are placed under Confederate officers, together with the poor attention paid to them, has also increased this dissatisfaction. Perhaps all this is naturally incident to any corps not regularly under strict army regulations.

Just at the close of the last Legislature a joint resolution was passed, directing the Governor to furnish labor under requisitions from Confederate Generals, and to exercise, if necessary, the power of impressment for that purpose. In April last I proposed to the Council to adopt a plan by which a corps of negroes should be organized and attached to each regiment or brigade, as axemen and spadesmen, to be placed under military government and orders in service. I desired this organization, upon the basis that every owner of negroes should furnish as many men as he might select, and put them regularly into the army, to draw regular rations, and the owners to receive their pay. One per cent. on the four hundred thousand slaves in the State would give four thousand for such an organization, and this would be more than ample for all purposes. Let these corps be formed into axemen, ditchers and laborers generally, and under regular orders and discipline suited to them. Let this be a permanent arrangement, which would relieve all the agricultural negroes of the country from arbitrary and irregular calls at seasons not at all suitable. Besides, this would enable every man to send off, to be put under the military regulations of the army, all negro men who might be difficult to manage at home, where women and children are, for the most part, left alone. It would have the further effect of identifying our slave population, to a certain extent, with our armies, which would produce a wholesome feeling of allegiance, and thus aid in the police government of that class. All this system could be organized readily, and, I think, upon a far more certain footing as to labor, and with far less expense and inconvenience to owners. Many small owners of slaves would volunteer none, but large owners would, and in many sections, particularly where they are exposed to the enemy, they would select perhaps five per cent. on all they own, because they could thus select those most unruly and uncertain, and secure them in the army. If lost or killed, then let the Government be responsible for their value, exactly as it is to those who furnish cavalry horses. My impression is that it would be a good police arrangement, that would strengthen the interior peace of the State.

This was the substance of the proposition I made in April last, but as I was overruled, I was compelled to give my assent to the other system proposed, because, like in many other cases, where I was called on to do anything, I had to do the best I could in relation to secondary measures. I think, if what I had then proposed had been adopted, it would have saved

much unpleasant feeling in the State, and also large losses from the irregular mode of calling for labor when it is engaged in agricultural pursuits. I therefore recommend that you take this subject up as soon as possible, and adopt some efficient system, in concert with and by assent of Confederate authorities, such as I have presented. I wrote to General Beauregard, and suggested to him my plan, and in a letter, dated the eighth of November, instant, he highly approves of it, and recommends that "each brigade of four regiments shall have two hundred negro pioneers or laborers." A copy of all that portion of the letter is herewith transmitted.

The works around Charleston are extensive, and it is of the last importance they should be completed on the most scientific and solid scale. Now that we have witnessed the desperate and malignant hostility of our exasperated enemies, we may certainly expect that, even after peace, they may threaten us at any moment hereafter, and it becomes us to be permanently and thoroughly prepared. The works around Charleston are, therefore, not to be viewed as temporary, but in the course of events they must be looked to as part of our permanent defence, and necessary to our future safety. The whole State is deeply and directly interested for our independence and protection against these our worst and most bitter enemies, and we cannot be secure without the largest and most substantial system of defences around and near Charleston. Let no man, in a remote part of the State, imagine that the work done there is not necessary to the protection of his own home and fireside.

The Convention, at their last meeting, have referred the proceedings of the Executive Council to your supervision and jurisdiction, and have expressly submitted to you the power to continue it or not. This Executive Council was established early in January last, and as soon as the Ordinance creating it was sent to me, I addressed a communication to the Convention, dated January the eighth, a copy of which is herewith transmitted. I thus most respectfully filed my objections and protest.

The first section of this Ordinance declares, that the "Executive Council shall consist of the Lieutenant Governor, and three other citizens of the State, to be chosen by the Convention by ballot."

The second section then speaks of the "Governor and Executive Council acting together," and confers unlimited power "to declare martial law," "to arrest and detain all disloyal and disaffected persons," and "to order and enforce such disposition of private property for public use as the public good shall appear to them to require." It also confers absolute power over the organization of all military forces, from "the whole or any part of the population of the State," to draw money from the public Treasury without appropriation by law, and to make all "nominations and appointments heretofore made by the Governor." As to "disloyal or disaffected persons," it

suspends *habeas corpus*. This, together with the power to declare martial law, to seize private property, to make any absolute orders of a military nature, embracing the whole population, and to draw money from the Treasury without appropriation by law, makes a complete concentration of all power in the hands of the Council. True, the Governor is spoken of as separate, but whether it was intended that his concurrence and consent should be necessary to consummate any or all of these powers, does not distinctly appear. At first the inference would seem to be, that it was necessary that the Governor and the Council should "act together." However, the mode adopted by those best informed of the intention of the Convention was, in fact, a total absorption of the Governor, for every proposition and order was taken by vote, each vote counting one, and a majority making the order. This, of course, is a direct violation of all the constitutional attributes that necessarily attach to the clause which declares that the "Governor shall be the Commander-in-Chief." It will be seen, by the reports from members of this Council, made to the Convention at its recent session, and more particularly from the Report of the Chief of the Military, that all the rules for the administration of the separate departments were, made by the members themselves, and by the fifth rule for the Military Department, even the nominations to all offices, "heretofore vested by law in the Governor," were expressly vested in the head of that Department. The Council partitioned out the powers of the Executive, and assigned themselves as the heads of the Departments thus created. According to the second clause of the Ordinance, I could not even appoint an Aid. Of course, under all these circumstances, I should certainly have called the Legislature together, and resigned my office, but for the extraordinary position the State was in at that time. It will not require a close analysis of this Ordinance to show that, under the pretext of "strengthening the Executive," the Constitution was grossly and needlessly violated, and the result, as exhibited in the confusion and opposition created in the State, heretofore so united, shows that men, however learned and able as exponents of law, may yet be entirely ignorant of all the practical workings and actual needs of the governing power for a free people.

I had been elected, by the regularly constituted Legislature of the State, to take charge of her destiny and direct her movements, when she was rousing herself to step forward and form the nucleus around which a new Confederacy might gather—thus standing like a shining target before her powerful foes, with doubt, danger and uncertainty on every side. The very day after I was inaugurated, I sent a trusty Agent and located him in Fortress Monroe, with orders to give me the most authentic information constantly of what was doing there, because I knew it was the nearest post from which military reinforcements could be sent to Charleston harbor. I



could thus tell what we were to expect by what I heard from that fortress, for I knew we would have war. It was my order, on the twenty-seventh of December, eighteen hundred and sixty, by which, in the face of a powerful fortress and an armed foe, the two first Federal forts were taken, from whose parapets the proud flag of the old Union was lowered, and the defiant flag of our independent State run up in its stead. This was done while the Convention was yet discussing the propriety of doing it. So, too, on the ninth of January, eighteen hundred and sixty-one, it was by my order, against solemn entreaties to the contrary, that the first cannon was fired into the Star of the West, bearing armed men and succor to Fort Sumter. These are the acts which practically inaugurated this war, the effects of which will be deeply felt for ages to come. I well knew the danger then, and fully understood my deep responsibility. At that time there was no certainty as to any other State moving. I mention this, not in credit to myself, for I was but the exponent of the will and spirit of the State, but I mention it to remind you, that by your appointment, I then stood on the quarter-deck, when the sea was dark and the ship alone. I saw the breakers through which she was to be driven, and no man can say that the helm ever trembled in my hand, or that the vessel ever veered, for one moment, from her direct and onward path. My record was before the Convention, but I have yet to learn on what act or acts of mine they predicated their remarkable experiment in government.

A sense of injustice, and the influence of ardent friends, might have impelled me to a different course from that which I pursued at this juncture, but my high sense of duty towards the State, and my sincere desire to secure her ultimate good, induced me to bear all with such patience as I could, and to pursue that path which I deemed wisest, in her behalf. The loss or change of power to me, personally, was nothing, but to the Constitution and the State it was every thing. The presence of a malignant and ravaging foe upon our coast, with a powerful army threatening Charleston, and the absence of a large portion of our men in the army of Virginia, rendered unity of feeling and purpose in our domestic government absolutely necessary for the time being, and weighed deeply in my determination to await events, and to submit to what had been done. I also knew that dissatisfaction and confusion would arise when the immediate danger and pressure had passed, and I desired that the responsibility should rest where it properly belonged. I preferred that the issue should be made between the people of the State and the body which had assumed all power over them; for I well knew that a people, born and educated to freedom, would rebuke the attempt which in this case had been made to create an arbitrary and illegal Government.

The Convention, at its last meeting, seemed to desire to shift the responsibility of terminating the existence of a tribunal which they had, at a pre-

vious meeting, ordained should continue for and during the war, and to throw that responsibility upon the Legislature, coming fresh from the people. Instead of protecting it against accountability to another body, they have made its acts open to full inspection and investigation, and that, too, under peculiar circumstances, where they themselves ought to have assumed the responsibility of restoring the regular and ordinary Government. This might have saved any further discussion or division.

The second section of an Ordinance passed at their last session, expressly makes it my duty to open up all its proceedings to you—at least back to the commencement of that session—and, by inference, to an examination of all before; because you could not have a full understanding of the duties they required you to discharge in relation to the policy of continuing the Council or not, without knowing all the facts and all its proceedings. With that view, I believe, they declared all their proceedings open to the public, with the books of record kept by their Council.

By an Ordinance passed the second of January last, entitled “An Ordinance for the removal of negroes and other property,” a commission of three from each of the sea-board Districts was elected, and, by the tenth section of the said Ordinance, this commission was expressly authorized to draw upon the Treasury for any sums they might deem necessary to remove and support negroes. Each separate commission of three had this power, limited only by what they might think “necessary.” They were not directed to let the Governor, or even the Council, know what amounts they might at any time draw, nor do I see any provision for their accounting, except to the first meeting of the Convention, if that should take place before the meeting of the Legislature. The tenth section concludes in these words: “And that the Legislature be directed to provide ways and means to reimburse the Treasury.” It will be seen that this Ordinance directly violates that great principle of the Constitution which declares that “no money shall be drawn out of the public Treasury, but by the legislative authority of the State.” This has given to a tribunal created separate from the Convention itself, this direct power. The whole Ordinance sets a dangerous and impolitic precedent in our State, and I recommend that steps be taken to cause proper accounts for all moneys drawn under it to be rendered, and that the records kept by those commissions be examined. The eighth section seems to contemplate this, if the Convention itself had not, in the meantime, held a meeting.

I can appreciate the circumstances under which the Convention acted. But they acted under the excitement produced by the fall of Port Royal, and I knew the time would come for the State to right itself. That time has come, and I most respectfully recommend that, as the guardians of the

Constitution and Law, you do now restore to the State the regular and ordinary Government.

To vest power to make, construe and execute law, in the same hands, is of the very essence of despotism, and the exercise of any such power, even in the hands of the wisest and purest of men, would necessarily produce the deepest dissatisfaction in any community trained up as freemen, and who had lived under the regular administration of fixed law. The dissatisfaction and restiveness under this new and unauthorized system, exhibited in certain portions of the State, has not arisen from any disloyalty or indisposition to discharge all their duties faithfully, but from a feeling of sensitiveness under what they deemed an unnecessary and arbitrary establishment of an unusual and irregular Government.

The example quoted from the early history of this State, when one of our most illustrious citizens was vested with a Dictatorship, is not at all applicable to the State in her present situation. We were then in our infancy, and had never been accustomed to independent self-government. We had, comparatively speaking, a wild country, with sparse population. We were simply a Colony, and in fact with no Government. We have now had eighty years of self-government, when our forms and laws have become fixed and settled, with a dense population of sensitive and educated freemen. No people upon earth are more restive under arbitrary power than we are. Besides, our whole form of Government is conservative, and full of checks and restraints—more so than that of any other State in the Confederacy. Our Senate represents mere territorial divisions, and is so formed as to check the more dominating influence of other branches. We have representation of property in both Houses. For every sixty-second part that the taxation of a Parish or District bears to the taxation of the whole State, it is entitled to one Representative; and for every sixty-second part that the white population of a Parish or District bears to the white population of the whole State, it is entitled to another Representative; and we take a State census every ten years, and estimate the taxes that have been collected during that period, and according to this we readjust our representation every ten years, so that it shall follow this combined principle wherever any changes in population or in property have been made. It is, in fact, a representation of taxation and population combined, and is the wisest and most philosophical principle that has been adopted by any State in the Confederacy. From this, population has all the strength necessary to give it power and contentment, and property has all that is necessary to protect itself. This it is that makes us so eminently a conservative State and a united people. Under our wise, but complicated system, we do not, in any great measure, take the sense of the people of South Carolina, as a people, but we take the sense of the interests or estates of the State, which

is equivalent to consulting the estates of the Realm—a process so deeply identified with all our ideas drawn from the great common-law land of English liberty. Any single Assembly, without the checks that come from the action of separate bodies, that assumes to exercise, of itself, legislative powers, must necessarily amalgamate these estates, and produce confusion and discontent, by deranging the order of our whole system. The clause in our Constitution giving power to call a Convention, is peculiar. It does not say the Legislature may or can call a Convention, but it declares that “no Convention of the people shall be called,” except on certain conditions. No Convention can be called, except by a concurrent vote of both branches of our Legislature, and then by a vote of two-thirds in each House. The Constitution of the State is itself a compact between the people, in which the sense of the State is taken by a full representation of estates which form the State. The angry controversy between the upper and lower country, previous to eighteen hundred and eight, need barely be alluded to for full illustration of this. The Constitution itself can be altered by two successive Legislatures, and there is no necessity for a Convention to alter it, which shows that under our system, so far as organic law is concerned, sovereignty is expressed through two successive Legislatures, or the Legislature is supposed to express the sense of the State, taken, not by population, or the people alone, but by the different estates represented.

The clause giving power to the Legislature to alter the Constitution, follows immediately after the clause giving power to call a Convention, and is also very peculiar in its language and guards. It does not say the Legislature may alter the Constitution upon certain conditions, but, directly following upon the other clause, it declares that “no part of this Constitution shall be altered,” except by the forms prescribed in the clause itself. There is no other State, that I know of, which allows the Legislature the high power of altering its Constitution. It is granted here because those who made it intended to guard peculiar interests and privileges in the State.

No Convention, under our system, need ever be called, except for one purpose only, and that is to withdraw our State from any compact with other independent States, and this merely because it was through such a body that the compact itself was originally made binding upon the State. Under this view of the question, it must be clear that it is against the whole spirit and genius of our system that a Convention should alter or amend the Constitution on local points; and if so, how much more true must it be that they cannot, on points affecting our internal relations, legislate on any matter. And if this be so, by what right can it delegate to another body, of its own creation, the power to legislate. It has no right to legislate; and even if it had, it could not delegate the right to another body, emanating alone



from itself. It can only legitimately act upon the specific matter or question which it was called to act on, and this is upon the presumption that the very question has been decided by the people, through the legitimate representation and forms that express the sense of the estates of the State. Upon that subject-matter, thus decided, they are sovereign, but upon no other. They are not necessary to alter the Constitution, for I have shown that this express power is given, by the Constitution itself, to two ordinary Legislatures. Any mere formal portion of the Constitution that it may be necessary to alter, in order to adapt it to a new compact with other sovereigns, and to the new Government, can be made, but no other. It can make a compact of fundamental law with other States. Any change of the Constitution, by a general Convention, called exclusively to withdraw from an old compact, and to form a new one, in those provisions acting solely upon the people of the State, within themselves, is not only beyond their legitimate power, but deeply dangerous to our conservative system, and a precedent which, once established, might overthrow all the guarantees of the instrument touching our local interests, without giving us the protection from the safeguards made by the compromise of eighteen hundred and eight, and incorporated into our organic law. The Ordinance creating the Executive Council did change the Constitution, as far as the executive power of the Governor is concerned. The second clause utterly annihilated his office as "Commander-in-Chief." There is not a single attribute attached to "Commander-in-Chief," as derived from the very nature of the office, and defined in the Constitution, which is not destroyed. True, the Governor, in times of peace, has but little power, but in revolution and war, that single power of "Commander-in-Chief" is of the highest and last importance, so long as the State acts for herself, or has forces in the field. In fact, during a revolution, it may embrace all power. A division of it into four heads destroys all that may be essential in dispatch, energy and decision. If it had been in existence on the twenty-seventh of December, eighteen hundred and sixty, and during that period, it would have been contemptible, from its imbecility and division. To say that the Constitution, in its vital parts, is not altered, because it has not been done by a specific clause, is to chop logic on words. In everything relating to the military and military orders, from the least to the most important, it made an absolute change—no military order, of any kind whatever, could be given without first receiving a majority of the votes of the Council. It was most fortunate for us that every company in the State had been mustered into service under the command of Confederate Generals, and all the military resources of the State were being transferred under the absolute orders of Confederate authority. If we had been in actual command of forces, we would have had great confusion and weakness. In times of revolution



and danger, to vest all the powers of the "Commander-in-Chief" in the hands of four men, is simply a pragmatieal experiment, that has failed, whenever tried, in every age and in every Government.

In relation to what may be urged as to the necessity for such action, I have only to say that State necessity has ever been the patent plea for despotic power wherever assumed. Amongst an enlightened people the true strength of an Executive does not depend so much on specific grants of power, as on doing with firmness whatever is right, and in patriotic devotion to the country, and nothing but the country.

The Convention have turned over to you the responsibility of deciding upon the propriety of continuing the Council. According to the Ordinance, its existence terminates on the second Monday in December next. By thus ordaining, there are now established in the State two conflicting powers of legislative or law-making authorities, sitting at the same time. It is an anomaly in government. I would recommend that you do discontinue the Council, and that no other of that kind be created. The duties of the Chief of the Military ought to be discharged by your Adjutant General, and the duties of the Chief of Construction should be discharged by your Ordnance officer; the duties of Chief of the Treasury should be discharged by your Treasurers, and the duties of Chief of Justice and Police can be discharged by your Governor, together with the Attorney General. The ordinary forms of government should be forthwith restored. It is due to the Constitution and the country, that you should put your disagreement to the precedent that has been set, in such a shape that it shall be distinctly understood, hereafter, that all the ordinary branches of the regular Government were opposed to the creation of this extraordinary and unnecessary Government.

In the meantime it might be proper, during the continuance of the war, that you should pass a special Act, well guarded, giving the Governor extraordinary powers in certain emergencies. The Convention at first passed a Resolution, giving me the power to appoint a Council for consultation, which was done on the thirtieth day of December, eighteen hundred and sixty, and the Council was organized a few days after. They made it the duty of this Council, "when required by the Governor, to advise with him on all matters which may be submitted by him," but expressly made the Governor, "in all cases," still responsible, "and to decide upon his own action." In conformity with this I appointed four distinguished gentlemen, and, for convenience as to business, I made a division of labor, and assigned to each a Department. This was a very wise and proper conception of Government, on the part of the Convention, and did not, in substance and responsibility, alter the office, as established by the Constitution. It is with great pride and pleasure that I now say I was much aided and strengthened

by the able men whom I then called around me, at that trying and critical period of our history. They served without compensation, and for their patriotic and firm discharge of duties, the country owes them a debt of lasting gratitude. If it should be thought necessary, in any great emergency, such a Council might again be authorized, which the Governor could call around him whenever he might deem it proper to do so. But do nothing to divide the responsibility of your Chief Magistrate; always make him directly responsible. A division of responsibility but weakens the whole, and takes away that direct accountability which is so essential to all energy and decision. Any other form makes hesitation and division, which, in the midst of a progressive revolution, is of deep injury to the public service, particularly in all military matters.

As I am soon to retire from office, I may be permitted to say, that when appointed to preside as Chief Magistrate of the State, I had just returned from abroad. I had comparatively but little personal acquaintance with those who had been of late years on the public stage. My difficulties were embarrassing. We had been habituated to indulgence by long years of peace, and were utterly unprepared for this gigantic struggle. I never, for a moment, doubted we would have war, as will be seen from the first steps taken the day after I was sworn into office.

The State acted alone, rose erect and defied power. I determined that she should lose her existence rather than lose her honor. As the storm grew dark around her banner, and many were in doubt, I watched the star of her destiny as it twinkled and flashed above the horizon, and I looked with Eastern devotion to that star alone. Many supposed themselves wronged, and their counsels neglected, but it was because I had no other light to guide my path, save the rays that ever fell from that star before me.

We have passed the worst. If we are true to ourselves, and if our forces are directed with judgment, we cannot be conquered. But instead of relaxation, we must rely solely upon our own strong arms, and redouble all our energies to meet any and every event.

We have suffered much, and may suffer more, but if we humbly rely upon a superintending Providence, we will go through in triumph. Let us remember that no people ever yet reached a high destiny without an abiding faith in the dispensation of justice from a Supreme Being.

F. W. PICKENS.

The following message was received from the House of Representatives :

IN THE HOUSE OF REPRESENTATIVES, Nov. 24, 1862.

*Mr. President, and Gentlemen of the Senate :*

The House of Representatives respectfully informs the Senate that a quorum of the Members has met, and has elected Mr. A. P. Aldrich, Speaker, and John T. Sloan, Clerk, and is now ready to proceed to business.

By order of the House,

A. P. ALDRICH, *Speaker*.

Returns of Commissioners of Free Schools, for 1862, were presented by

Mr. Garlington,	for Newberry,
“ Hope,	Lexington,
“ W. D. Johnson,	Marlboro’,
“ Oswald,	St. Bartholomew’s,
“ Mazyek,	St. James’, Santee,

and they were ordered to lie on the table.

Mr. LESESNE presented the report of the Commissioner on the Code ; and the petition of Rev. B. B. Sams, to be refunded a Confederate War Tax ; which were ordered to lie on the table.

On motion of Mr. MAZYCK, the Senate adjourned at ten minutes to two o’clock, P. M.

WEDNESDAY, NOVEMBER 26, 1862.

The Senate met at 12, M. Prayer by Rev. Dr. Adger.

The Clerk read the Journal of the proceedings of yesterday.

#### ADDITIONAL SENATORS:

Hon. W. D. Simpson, Senator elect from Laurens, and Hon. P. P. Bonneau, Senator elect from Christ Church, appeared at the Clerk’s desk, and presented their credentials. The oath was administered, and they took their seats.

The PRESIDENT announced the Standing Committees of the Senate, as follows :

*On Privileges and Elections.*—Messrs. F. W. Fickling, F. J. Moses, Samuel McAliley, Thomas Thompson, J. W. Miller, Alexander Mazyck, P. P. Bonneau.

*On Confederate Relations.*—Messrs. H. D. Lesesne, A. Hamilton Boykin, Alexander Mazyck, B. W. Lawton, W. D. Johnson.

*On Finance and Banks.*—Messrs. Samuel McAliley, E. G. Palmer, B. H. Wilson, Alex. Mazyck, G. D. Keitt, F. W. Fickling, A. H. Boykin.

*On the Judiciary.*—Messrs. F. J. Moses, H. D. Lesesne, J. W. Blakeney, A. C. Garlington, E. J. Arthur, W. D. Johnson.

*On Accounts and Vacant Offices.*—Messrs. T. Edwin Ware, G. D. Keitt, D. H. Ellis, J. J. Wortham.

*On Claims and Grievances.*—Messrs. E. J. Arthur, G. W. Oswald, J. W. Miller, David Houser, John C. Hope, C. Ryan Boyle.

*On Military and Pensions.*—Messrs. A. C. Garlington, E. J. Arthur, John L. Manning, G. W. Oswald, Thomas Thompson, D. H. Ellis, Arthur Simkins, W. D. Simpson.

*On the College, Education and Religion.*—Messrs. Edmund Rhett, S. W. Barker, Arthur Simkins, Robert Maxwell, John L. Manning.

*On Incorporations and Engrossed Acts.*—Messrs. W. D. Simpson, W. M. Murray, T. Edwin Ware, Robert Beatty, J. J. Wortham.

*On Agriculture and Internal Improvements.*—Messrs. E. G. Palmer, R. G. McCaw, Robert Maxwell, W. G. Roberds, W. M. Murray.

*On Roads and Buildings.*—Messrs. J. C. Hope, F. J. Sessions, W. G. Roberds, R. L. Hart, Robert Beatty, E. H. Miller.

*On the Lunatic Asylum and Medical Accounts.*—Messrs. I. K. Furman, S. W. Barker, J. C. McKewn, R. L. Hart, B. W. Lawton, P. P. Bonneau.

*On Commerce, Manufactures and the Mechanic Arts.*—Messrs. B. H. Wilson, E. H. Miller, C. Ryan Boyle, J. C. McKewn, John L. Manning.

*On the Legislative Library.*—Messrs. John L. Manning, Edmund Rhett, R. G. McCaw, J. W. Blakeney.

*On the New State House.*—Messrs. R. G. McCaw, E. J. Arthur, Sam'l McAliley.

Mr. MOSES gave notice that, under the 34th Rule of the Senate, he will to-morrow ask leave to offer the following resolution :

*Resolved*, That at the end of the 14th Rule of the Senate, the following words be added :

16th. A Committee on Printing.

Returns of Commissioners of Free Schools for 1862, were presented by

Mr. Arthur,	for Richland,
Simkins,	Edgefield,
Wortham,	All Saints',
Bonneau,	Christ Church,
Houser,	St. Matthew's,
Miller,	Spartanburg,
Roberds,	St. Peter's, for 1861 and 1862,
McCaw,	York,
Fickling,	St. Luke's, for 1861 and 1862,
Moses,	Claremont, or Sumter,

of disbursement of funds received in December, 1861, applied to payment for 1861; and they were referred to the Committee on the College, Education and Religion.

Mr. ARTHUR presented the memorial of J. Townsend, B. M. Palmer, W. F. DeSaussure and M. LaBorde, in behalf of the Central Association, praying an appropriation for the relief of sick and destitute soldiers; which was referred to the Committee on Finance and Banks; and also,

The petition of the Mayor and Aldermen of the city of Columbia, praying for a lease of the Columbia Canal at the expiration of the lease to F. W. Green; which was referred to the Committee on Agriculture and Internal Improvements; and also,

The petition of W. H. Baker, praying compensation for a negro who died in the service of the State; which was referred to the Committee on Claims and Grievances; and also,

The petition of "The Right Worthy, Southern Grand Lodge of the Independent Order of Odd Fellows, of the State of South Carolina," praying incorporation; which was referred to the Committee on Incorporations and Engrossed Acts.

Mr. ARTHUR also gave notice that to-morrow he will ask leave to introduce a Bill entitled

A Bill to authorize the banks of this State to issue small bills.

Mr. BOYLE presented the petition of B. E. Kiddell, praying a return of a portion of war tax illegally collected; which was referred to the Committee on Finance and Banks.

Mr. MURRAY presented the petition of sundry planters on John's Island, for remission of certain taxes upon property lost or abandoned to the enemy; which was referred to the same Committee.

The PRESIDENT laid before the Senate the report of the Comptroller General; which was referred to the same Committee.

Mr. HOPE gave notice that to-morrow he will ask leave to introduce



A Bill to alter and amend certain sections of the road law of 1825.

Mr. SESSIONS presented the petition of Wm. Carter, for payment for services rendered as Deputy Marshal in 1860; which was referred to the Committee on Claims and Grievances.

Mr. GARLINGTON presented the petition of Chief Justice O'Neill, praying an appropriation for paying a quarter's salary due Thomas J. Gantt, late Clerk of the Court of Appeals; which was referred to the Committee on Claims and Grievances.

Mr. ROBERDS presented the petition of Dr. N. H. Johnston, praying payment of a medical account; which was referred to the Committee on the Lunatic Asylum and Medical Accounts.

Mr. LESESNE presented the petition of the Trustees of the Marine School of Charleston, for aid; which was referred to the Committee on Commerce, Manufactures and the Mechanic Arts.

At half-past 12, P. M., a Message was announced to the Senate from his Excellency the Governor; which was received in Secret Session.

At the adjournment of the Secret Session, and when the regular Session was resumed,

Mr. LESESNE presented the petition of the Bank of Charleston, S. C., asking an amendment of charter; which was referred to the Committee on Finance and Banks; and also,

The memorial of the Charleston Savings' Institution, for amendment of charter; which was referred to the Committee on Incorporations and Engrossed Acts; and also,

The report of the Commissioners of the Deaf, Dumb and Blind, with the reports of the officers of the institution; which was referred to the Committee on the College, Education and Religion, and three hundred copies were ordered to be printed.

Mr. THOMSON presented the petition of James Gillam, to be refunded a Confederate Tax twice paid; which was referred to the Committee on Finance and Banks.

### SPECIAL ORDER FOR 1 O'CLOCK, P. M.

The Senate proceeded to the Special Order for this hour, the reference of Message No. 1 of his Excellency the Governor.

Mr. GARLINGTON moved the resolution which follows; the same having been first amended by the Senate, on motion of Mr. MOSES, as follows: namely,—that the subject-matter embraced in clause No. 4 be referred to a Special Committee, consisting of one member from each Congressional District—the reference in the original resolution providing that the subject-matter be referred to the Committee on the Judiciary.

*Resolved*, 1. That so much of the Message of his Excellency the Governor as relates to the Military of the State and the reports of Military Officers; to the organization of a State Guard and Local Police; to the Military Academies, arsenals, depots for arms and the State Armory; to the Boards of Ordnance and Military Supplies; to the saltpetre plantation; to the relief of families of deceased soldiers; to the appointment of an Agent at Richmond to attend to the wants of sick and wounded soldiers from this State; and so much as relates to the impressment or organization of slave labor for military purposes; be referred to the Committee on the Military and Pensions.

2. That so much as relates to the Banks of the State, finance and the currency; to taxation, the Confederate War Tax, a change in the valuation of taxable property, and to the expenditures of moneys; to the consolidation of the two Treasuries and to reports of the Officers of the Treasury Department; to the appropriations by the Confederate Congress for and on account of certain military expenditures of this State; to claims of this State against the Confederate Government, and to the compensation of the Hon. Wilmot G. DeSaussure, Secretary of the Treasury, for services rendered in relation to said claims; and so much as relates to provision for the relief of families of soldiers in service, be referred to the Committee on Finance and Banks.

3. That so much as relates to the suggested change in the election of Governor, and the increase of the powers of the Executive; to the appointment of certain Officers by the Governor, with the concurrence of the Senate, and to the right of suffrage; to Provost Marshals and their Courts; to a modification of the Law to "extend relief to Debtors, and to prevent the sacrifice of property at public sales," and to undue speculation in breadstuffs, be referred to the Committee on the Judiciary.

4. That so much as relates to such Ordinances of the Convention and proceedings of the Governor and Council, as have been referred by the Convention to this Legislature, with accompanying documents, and to the Constitution, powers, continuation, modification or abolition of the Executive Council, be referred to a Special Committee, consisting of one from each Congressional District.

5. That so much as relates to Education and the South Carolina College, be referred to the Committee on the College, Education and Religion.

6. That so much as relates to the Lunatic Asylum and the Institution for the Deaf, Dumb and Blind, be referred to the Committee on the Lunatic Asylum and Medical Accounts.

7. That so much as relates to the Marine School in the City of Charleston, and manufacture of Salt, be referred to the Committee on Commerce, Manufactures and the Mechanic Arts.

8. That so much as relates to the Report of the Superintendent of the State House, be referred to the Committee on the New State House.

9. That so much as relates to the distillation of spirits from grain, be referred to the Committee on Agriculture and Internal Improvements.

The resolution, as amended, was agreed to, and the Message was referred accordingly.

The following papers, having been taken from the table, were referred as follows:

The petition of citizens of All Saints' Parish, protesting against the return of the Managers declaring J. J. Wortham elected to the Senate from that Parish, to the Committee on Privileges and Elections;

Returns of Commissioners of Free Schools, for Lexington, Marlboro', Newberry, St. Bartholomew's, St. James', Santee, to the Committee on the College, Education and Religion;

The petition of Rev. B. B. Sams, to be refunded a Confederate War Tax, to the Committee on Finance and Banks;

The Report of the Commissioner on the Code, to the Committee on the Judiciary.

Leave of absence for a few days was granted to Mr. Bonneau, Senator from Christ Church.

Mr. THOMSON presented the petition of John R. Ellis, praying that an error in his War Tax may be corrected, and upon payment of the sum actually due, he may receive an acquittance for the same; which was referred to the Committee on Finance and Banks.

Mr. MAZYCK gave notice that to-morrow he will ask leave to introduce the following Bills:

A Bill to provide against dearths of salt;

A Bill to incorporate the Wando, Wambaw and Winyaw Canal Company.

Mr. E. H. MILLER presented the petition of citizens of Williamsburg District, praying the opening of a new road, to be known as the Singletary Road; which was referred to the Committee on Roads and Buildings.

Mr. WARE presented the petition of Reuben Smith, praying to be refunded an amount improperly paid as a War Tax; which was referred to the Committee on Finance and Banks.

Mr. McCRAW presented the petition of citizens of York District, on the subject of a tax for the support of the families of indigent soldiers; which was referred to the same Committee.

Mr. ARTHUR presented the report of the Regents of the Lunatic Asylum; which was referred to the Committee on the Lunatic Asylum and Medical Accounts, and five hundred copies were ordered to be printed.

Mr. MOSES presented the petition of Isaac W. Lenoir, praying to be refunded a tax illegally paid; which was referred to the Committee on Finance and Banks; and also,

The petition of James V. Brunson, Jailor, for an increase of fees; which was referred to the Committee on the Judiciary.

Mr. WILSON presented the petition of sundry voters of All Saints' Parish, protesting against the returns of the Managers in the case of the sitting member from that Parish; which was referred to the Committee on Privileges and Elections.

Mr. LESESNE gave notice that he will ask leave, to-morrow, to introduce A Bill to alter and amend the charter of the Bank of Charleston, S. C.; also,

A Bill to enable the Charleston Savings' Institution to purchase and hold real property.

Mr. LESESNE also presented the petition of the stockholders of the privateer Jefferson Davis, for the cancellation of a bond executed to the State for armament; which was referred to the Committee on Finance and Banks.

Mr WARE, from the Committee on Accounts and Vacant Offices, reported the office of Secretary of State vacant; and

On motion of Mr. ARTHUR, a message was sent to the House, proposing to go into a ballot for that officer to-morrow, at half-past 1, P. M.

On motion of Mr. MAZYCK, the Senate adjourned at ten minutes to 2, P. M.

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#### THURSDAY, NOVEMBER 27, 1862.

The Senate met at 12 o'clock, M. Prayer by the Rev. Mr. Breaker.

The Clerk read the Journal of the proceedings of yesterday.

Hon. S. W. PALMER, Senator from St. Stephen's, appeared in his seat in the Senate, and was added to the Committees on Agriculture and Internal Improvements, and Incorporations and Engrossed Acts.

Pursuant to notice, and with leave of the Senate, the following Bills were introduced, received their first reading, and were referred as follows :

By Mr. HOPE :

A Bill to alter and amend certain sections of the Road Law ; which was referred to the Committee on Roads and Buildings.

By Mr. ARTHUR :

A Bill to authorize the Banks to issue small bills ; which was referred to the same Committee.

By Mr. MAZYCK :

A Bill to provide against the dearth of salt ; which was referred to the Committee on Commerce, Manufactures, and the Mechanic Arts ; and also,

A Bill to incorporate the Wando, Wambaw, and Winyaw Canal Company ; which was referred to the Committee on Agriculture and Internal Improvements.

By Mr. LESESNE :

A Bill to enable the Charleston Savings' Institution to purchase and hold real property ; which was referred to the Committee on Incorporations and Engrossed Acts ; also,

A Bill to alter and amend the charter of the Bank of Charleston, South Carolina ; which was referred to the Committee on Finance and Banks.

Returns of Commissioners of Free Schools, for 1861, were presented by

Mr. Furman,	for St. Thomas' and St. Dennis',
Beaty,	Union,
Thomson,	Abbeville,

and they were referred to the Committee on the College, Education and Religion.

Mr. BLAKENEY presented the petition of the Soldiers' Board of Relief for Chesterfield District, and citizens generally, to increase the tax for the relief of soldiers' families ; which was referred to the Committee on Finance and Banks.

Mr. LESESNE presented the petition of James H. Marshburn, to be relieved from an improper assesment of War Tax ; which was referred to the same Committee ;

The petition of Geo. W. Wilkie, agent of Miss Ball, praying to be relieved from an improper assesment of a War Tax ; which was referred to the same Committee.

Mr. WARE presented the petition of the Board of Commissioners of Roads for the Upper Division of Greenville District, praying the right to discontinue a section of a public road as such ; which was referred to the Committee on Roads and Buildings ; also,



The petition of the Board of Commissioners of Roads of the Upper Division of Greenville District, in relation to the Jones' Gap Turnpike Road ; which was referred to the same Committee.

Mr. MOSES presented the petition of G. S. C. DeSchamps, that a tax improperly paid be refunded ; which was referred to the Committee on Finance and Banks.

Mr. BOYLE presented the petition of W. C. Meggett, praying to be refunded a portion of the War Tax, illegally collected ; which was referred to the same Committee.

Mr. W. D. JOHNSON presented the petition of John W. Williams, praying to be refunded \$22 50, War Tax improperly paid ; which was referred to the same Committee.

Mr. GARLINGTON presented the petition of T. Alfonse Jackson, Confederate States Engineer, in charge of construction Confederate States Navy Powder Mills, praying a renewal of lease of Columbia Canal ; which was referred to the Committee on Agriculture and Internal Improvements.

Mr. MOSES called up a resolution, offered by him yesterday, and the resolution was agreed to, as follows :

*Resolved*, That at the end of the 14th Rule of Senate, the following words be added :

16th. A committee on printing.

Mr. WILSON offered the following resolution :

*Resolved*, That his Excellency the Governor be respectfully requested to furnish the Senate with all information concerning the disbanding of the 4th and 10th Regiments of Reserves.

The resolution was considered, and agreed to.

Mr. GARLINGTON presented the Annual Report of the President and Directors of the Bank of the State of South Carolina ; which was referred to the Committee on Finance and Banks, and was ordered to be printed.

Mr. SIMKINS presented the petition of James M. Richardson, praying that rights of legitimacy may be conferred on James Madison Richardson, an illegitimate ; which was referred to the Committee on the Judiciary.

At 1, P. M., the Senate went into Secret Session, and so continued until twenty minutes to 3, P. M., when the doors were opened and the regular session resumed.

The PRESIDENT announced the following gentlemen of the Committee composed of one member from each Congressional District, to which had been referred that portion of the Governor's Message No. 1 referring to

the Executive Council and the Ordinances of the Convention concerning the same, namely :

Messrs F. J. Moses, A. C. Garlington, T. Edwin Ware, F. W. Fickling, B. H. Wilson, and H. D. Lesesne.

Mr. LESESNE presented the account of Evans & Coggsell, for printing the Code of the Statute Law of the State ; which was referred to the Committee on Claims and Grievances

Mr. WARE, from the Committee on Accounts and Vacant Offices, reported the offices of Solicitor of the Middle Circuit and Solicitor of the Western Circuit vacant.

On motion of Mr. GARLINGTON, a message was sent to the House of Representatives, proposing to go into a ballot for the office of Solicitor of the Middle Circuit to-morrow, at 1, P. M., and immediately thereafter, for Solicitor of the Western Circuit.

On motion of Mr. LESESNE, the Senate adjourned at fifteen minutes to 3, P. M.

## FRIDAY, NOVEMBER 28, 1862.

The Senate met at 12, M. Prayer by the Rev. Mr. Shand.

The Clerk read the Journal of the proceedings of yesterday.

### ADDITIONAL SENATORS.

Hon. James W. Harrison, Senator elect from Anderson, appeared at the Clerk's desk and presented his credentials. The oath was administered, and he took his seat, and he was added to the Committees on the Military and Pensions, and the Judiciary.

Hon. W. R. JOHNSON appeared in his place in the Senate Chamber, and was added to the Committees on Accounts and Vacant Offices, and on the Lunatic Asylum and Medical Accounts.

The PRESIDENT announced the following gentlemen as the

*Committee on Printing*—Messrs. J. W. Harrison, A. Simkins, J. C. McKewn, F. J. Moses, R. L. Hart, F. J. Sessions, E. G. Palmer.

Mr. McALILEY offered the following resolution :

*Resolved*, That the Committee on Military and Pensions be instructed forthwith to introduce a Bill to provide for effecting the organization, and putting in camp, of all persons capable of bearing arms, and not in actual service ; and in said Bill the election of field officers to be given to the respective battalions and regiments.

The resolution being before the Senate for consideration,

Mr. MOSES offered the following as a substitute :

That the Committee on the Military and Pensions be instructed, at the earliest practicable moment, to consider and report on the matters referred to them, touching the organization of the military of the State.

The amendment was agreed to ; and the resolution, as amended, was agreed to by the Senate.

Mr. HARRISON presented the petition of the Field Officers elect of the Fourth Regiment of Reserves, praying that the said regiment be not disbanded ; which was referred to the Committee on Military and Pensions.

Mr. KEITT presented the petition of Lewis M. Ott, praying compensation for the loss of a negro, by disease contracted in the public service ; which was referred to the Committee on Claims and Grievances.

The following resolutions were offered by Mr. GARLINGTON :

*Resolved*, 1. That a division of the powers of Government, into the three great departments, the Executive, Judicial and Legislative, is a fundamental principle of constitutional liberty.

*Resolved*, 2. That to vest the Executive powers in a number of Magistrates, of equal dignity and power, or to place the ostensible Executive under the control of associate Magistrates, is to weaken the Executive Department, by destroying its unity, and impairing its energy and responsibility ; and leads to dissensions and distraction in the administration of the laws, and in carrying on the operations of the Government.

*Resolved*, 3. That in the opinion of this General Assembly, the constitution of the present Executive Council conflicts with the principles and policy asserted by the foregoing resolutions :

And whereas the Convention of the people of this State, by an Ordinance entitled an Ordinance to amend an " Ordinance for strengthening the Executive Department during the exigencies of the present war," passed on the seventeenth day of September, in the year of our Lord one thousand eight hundred and sixty-two, declared and ordained, " that the General Assembly shall have power, by act of the Legislature, to modify the Constitution of the Executive Council, by reducing the number thereof, or re-

stricting the powers conferred thereupon by the Ordinance of the Convention, or wholly to abolish the said Council ;” Be it therefore

*Resolved*, 4. That the Executive Council, ought to and should be, abolished, and the Government restored to its regularly constituted authorities ; and that the Committee on the Judiciary be, and are hereby, instructed to report a Bill for that purpose.

*Resolved*, 5. That the Special Committee, heretofore raised to consider that part of the Message No. 1 of his Excellency the Governor which relates to the constitution, powers, proceedings, &c., of the Executive Council, do inquire and report whether an Advisory Council for the Governor be necessary to aid him in the discharge of the duties of his office, rendered more onerous and important by the exigencies of the present war.

The resolutions were made the Special Order of the Day for Saturday, at 1 o'clock, P. M., and were ordered to be printed.

Mr. LAWTON presented the memorial of B. H. Brown, and others, Soldier's Board of Relief for Barnwell District, asking an additional assessment to meet the current expenses of the past year ; which was referred to the Committee on Finance and Banks.

Mr. E. H. MILLER presented the petition of A. W. Dozier, praying to be refunded a tax unlawfully paid ; which was referred to the same Committee.

Mr. LESESNE gave notice that he will ask leave, to-morrow, to introduce

A Bill to incorporate the Importing and Exporting Company of South Carolina.

Mr. HOUSER presented the account of Dr. R. W. Bates, for *post mortem* examination ; which was referred to the Committee on the Lunatic Asylum and Medical Accounts.

Mr. J. W. MILLER offered the following resolution ; which was agreed to, and the Committee was instructed accordingly :

*Resolved*, That the Committee on Military and Pensions be instructed to inquire and report upon the expediency of so amending the existing laws as to declare vacant all militia offices at present filled by persons under the age of forty-five years ; and of further so amending the law as to provide for filling those offices only from among those over forty-five and those exempted from military service.

Mr. WILSON presented the report of the Commissioners of the Poor of Georgetown District, for disbursements of the Transient Poor Fund, and



petition for appropriation; which was referred to the Committee on Finance and Banks.

The PRESIDENT laid before the Senate proposals from R. W. Gibbes, for the public printing; which was referred to the Committee on Public Printing.

Mr. MOSES, in behalf of the Judiciary Committee, submitted a report, recommending that a message be sent to the House of Representatives, proposing that the Committee on the Judiciary of the two Houses act jointly in considering the report of the Commissioner on the Code. The report was agreed to, and the message was sent accordingly.

Mr. McALILEY, from the Committee on Finance and Banks, submitted the following reports, which were ordered for consideration to-morrow:

Favorable reports on

The petition of James Gillam, praying to be refunded a Confederate War Tax twice paid;

The petition of John R. Ellis, praying that an error in his Confederate War Tax may be corrected;

The petition of Isaac W. Lenoir, praying to be refunded a tax illegally paid;

The petition of sundry planters of John's Island, praying that taxes on property lost or abandoned be remitted;

The petition of James H. Marshburn, praying to be relieved from an improper assessment of War Tax;

The petition of B. E. Kiddell, praying a return of portion of War Tax illegally collected;

A Bill to alter and amend the charter of the Bank of Charleston, South Carolina;

A Bill to authorize the Banks to issue small bills;

The petition of the stockholders of the Privateer Jefferson Davis, praying the cancellation of a bond executed to the State for armament;

The petition of William C. Meggett, praying to be refunded a War Tax illegally paid.

Unfavorable reports on

The petition of S. C. DeSchamps, praying the refunding a tax improperly paid;

The petition of Reuben Smith, praying to be refunded an amount improperly paid on War Tax;

The petition of John W. Williams, praying to be refunded a War Tax improperly paid.

Mr. HOPE submitted the Report of the Committee on Roads and Buildings; on



A Bill to alter and amend certain sections of the Road Law; which was ordered for consideration to-morrow, and to be printed.

Mr. MANNING presented the petition of William Ransom Davis and others, praying that Neilson's Ferry be re-chartered and vested in W. Ransom Davis; which was referred to the Committee on Roads and Buildings.

Mr. Garlington offered the following resolution, which was agreed to:

*Resolved*, That his Excellency the Governor be requested to communicate to the Senate, as soon as it may be practicable, printed copies of all orders, rules, and regulations of the Governor and Council altering, modifying, or repealing the Military Laws passed by the Legislature of this State; and that he also furnish to the Senate a statement showing the number of men in the State liable to military duty, in the following classes, to wit: Those between thirty-five and forty, forty and forty-five, and forty-five and fifty.

On motion of Mr. MOSES, the Senate adjourned at half-past 1, P. M.

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SATURDAY, NOVEMBER 29, 1862.

The Senate met at 12, M. Prayer by the Rev. Mr. Kennedy.

The Clerk read the Journal of the proceedings of yesterday.

The Hon. W. Izard Bull appeared in his seat in the Senate.

The PRESIDENT laid before the Senate the Report of the Comptroller General, on the subject-matter of the petition of Thos. B. Clarkson, for himself and for the estate of Wm. Clarkson, deceased, praying to be refunded a tax illegally collected; which was referred to the Committee on Finance and Banks; also,

A communication from B. F. Arthur, Clerk of the State Convention, accompanying the Proceedings of that Body, laid before the Senate by its order.

Mr. ARTHUR presented the account of T. J. Goodwyn, M. D., for medical services rendered to prisoners in jail; which was referred to the Committee on the Lunatic Asylum and Medical Accounts.

Mr. BLAKENEY presented the Return of the Commissioners of Free Schools for Chesterfield District; which was referred to the Committee on the College, Education, and Religion.

Mr. MAXWELL presented the return of the Commissioners of Free Schools for Pickens District; which was referred to the Committee on the College, Education, and Religion.

Mr. HARRISON offered a preamble and resolution in reference to the Eighth Regiment of Reserves, recently tendered for military service in the Confederate Army; which was referred to the Committee on Military and Pensions; and also,

Petition of sundry citizens of Anderson District, praying that provision may be made for the families of soldiers; which was referred to the Committee on Finance and Banks.

Mr. MAXWELL submitted the presentment of the Grand Jury of Pickens District, for Fall Term, 1862.

So much as referred to compensation to treasurers of Soldiers' Relief Associations, was referred to the Committee on Finance.

So much as referred to license to distill whiskey, to the Committee on the Judiciary.

Mr. HARRISON presented the memorial of sundry citizens, on distillation of liquor from grain; which was referred to the Committee on the Judiciary.

The following messages were received from the House of Representatives :

IN THE HOUSE OF REPRESENTATIVES, Nov. 28, 1862.

*Mr President, and Gentlemen of the Senate :*

The House respectfully concurs with the Senate, that the Judiciary Committee of the House act with the Judiciary Committee of the Senate, as a Joint Committee, on the Report of the Commissioner of the Code.

By order of the House,

A. P. ALDRICH, *Speaker.*

IN THE HOUSE OF REPRESENTATIVES, Nov. 28, 1862.

*Mr. President, and Gentlemen of the Senate :*

The House respectfully proposes to the Senate, that the Committees of the Senate and House, to whom were referred so much of Message No. 1 of his Excellency as relates to the Executive Council, and kindred matters, act together as a Joint Committee.

By order of the House,

A. P. ALDRICH, *Speaker.*

The Senate concurred in the last message.

The following message was received from the House of Representatives :

IN THE HOUSE OF REPRESENTATIVES, Nov. 28, 1862.

*Mr. President, and Gentlemen of the Senate :*

The House respectfully proposes to the Senate to go into an election for Solicitors of the Middle and Western Circuits to-morrow, at half-past 12, P. M. ; and also, to go into an election for Secretary of State, on Tuesday next, at half-past 1, P. M.

By order of the House,

A. P. ALDRICH, *Speaker*.

The Senate concurred, and thereupon proceeded to the House and joined in the ballot.

Messrs. Arthur and Beaty were appointed the Committee of the Senate to count the ballots.

The following message was received from the House of Representatives :

IN THE HOUSE OF REPRESENTATIVES, Nov. 28, 1862.

*Mr. President, and Gentlemen of the Senate :*

The House respectfully proposes to the Senate to go into an election for Surveyor General to-morrow, at three-quarters past 12 o'clock, P. M.

By order of the House,

A. P. ALDRICH, *Speaker*.

The Senate concurred, and, at the hour designated, joined the House in the ballot.

Messrs. Blakeney and Boykin were appointed the Committee on the part of the Senate to count the ballots.

Mr. McAILEY presented the return of the Commissioners of Free Schools for Chester District ; which was referred to the Committee on the College, Education and Religion ; and also,

The report of the Committee on Finance and Banks, on the petition of Rev. B. B. Sams, praying to be refunded a Confederate War Tax ; which was ordered for consideration on Monday next.

Mr. MOSES, from the Special Joint Committee on so much of Message No. 1 of his Excellency as relates to the constitution, powers, continuation, modification, and abolition of the Executive Council, reported

A Bill to abolish the Executive Council, established by the Ordinance of the Convention, entitled "An Ordinance for Strengthening the Executive Department during the Exigencies of the Present War."

The Bill received its first reading, and was made the Special Order of the Day for Monday next, at 1 o'clock, and was ordered to be printed.

Mr. GARLINGTON presented the petition of Mrs. Huntington and others, praying that the State authorities may furnish corn to the families of soldiers in service at reasonable prices; which was referred to the Special Committee just raised.

Mr. FICKLING submitted the report of the Committee on Privileges and Elections, on two petitions from sundry citizens and voters of All Saints' Parish, praying that the seat of the sitting member from that Parish be vacated. The Committee ask leave to send for persons and papers. Their report was agreed to, and the leave granted.

Mr. JOHNSON presented the return of the Commissioners of Free Schools for Marion District, for the year 1862; which was referred to the Committee on the College, Education and Religion.

Mr. HOPE offered the following resolution :

*Resolved*, That a Special Committee of one from each Congressional District, be appointed to take charge of the subject of affording relief to families of soldiers in actual service, and that said Committee report a plan to raise funds to meet the pressing necessities of said families.

The resolution was agreed to, and the PRESIDENT appointed Messrs. J. C. Hope, W. D. Johnson, S. W. Palmer, G. W. Oswald, Robert Beaty, and J. L. Manning, the Committee.

The PRESIDENT laid before the Senate proposals of C. P. Pelham for public printing; which were referred to the Committee on Public Printing.

Mr. E. G. PALMER submitted the report of the Committee on Agriculture and Internal Improvements, on

A Bill to incorporate the Wando, Wambaw and Winyaw Canal Company; which was ordered for consideration to-morrow, and the Bill and Report ordered to be printed.

Mr. HART submitted the presentment of the Grand Jury for Darlington District, Fall Term, 1862; which was read, and

So much as refers to soldiers families, was referred to the Special Committee on that subject, and

So much as refers to the Poor Tax, was referred to the Committee on the Judiciary.

Mr. LESESNE presented the schedule of Free School Parishes for the year ending Sept. 30, 1862; which was referred to the Committee on the College, Education and Religion; and also,

The abstract of the number of Transient Poor in the City of Charleston the past year, and of expenditure for the relief of the same; which was referred to the Committee on Finance and Banks.

Pursuant to notice, and with leave of the Senate, Mr. LESESNE introduced



A Bill to incorporate the Importing and Exporting Company of South Carolina; which received the first reading, and was referred to the Committee on Incorporations and Engrossed Acts.

Mr. LESESNE also presented the petition of John Williamson, to be refunded a portion of War Tax paid on an error of assessment; which was referred to the Committee on Finance and Banks.

Mr. HARRISON gave notice that he will, on Monday next, introduce, A Bill to provide a District Police Guard of Military Cadets; also, A Bill to afford relief to the families of soldiers, and for other purposes. The Senate proceeded to the Special Order of the day for 1 o'clock, P. M. Resolutions introduced by the Senator from Newberry in relation to the Governor and Council.

On motion of Mr. GARLINGTON, the Special Order was discharged, and the same subject-matter was made the Special Order for Monday, at 1 o'clock, in conjunction with the Bill reported by the Special Committee.

The Senate proceeded to the

#### GENERAL ORDERS OF THE DAY.

The Reports of the Committee on Finance and Banks:

On the petition of James Gillam, praying to be refunded a Confederate War Tax twice paid;

On the petition of John R. Ellis, praying that an error in his Confederate War Tax may be corrected;

On the petition of Isaac W. Lenoir, praying to be refunded a tax illegally paid;

On the petition of B. E. Kiddell, praying a return of a portion of War Tax illegally collected;

On the petition of the Stockholders of the Privateer Jefferson Davis, praying the cancellation of a bond executed to the State for armament;

Which were agreed to, and were ordered to be sent to the House of Representatives for concurrence.

The following unfavorable reports were agreed to by the Senate:

The reports of the Committee on Finance and Banks—

On the petition of James H. Marshburn, praying to be relieved from an improper assesment of War Tax;

On the petition of Wm. C. Meggett, praying to be refunded a War Tax illegally paid;

On the petition of S. C. DeSchamps, praying the refunding of a tax improperly paid;

On the petition of Reuben Smith, praying to be refunded an amount improperly paid on War Tax;



On the petition of John W. Williams, praying to be refunded War Tax improperly paid;

The report of the Committee on Roads and Buildings, on

A Bill to alter and amend certain sections of the Road Law, was,

On motion of Mr. HOPE, ordered to be placed on the General Orders for Monday.

The reports of the Committee on Finance and Banks, on

A Bill to alter and amend the charter of the Bank of Charleston S. C., and the report of the same Committee on

A Bill to authorize the Banks to issue small bills, were ordered to be placed in the general orders for Monday, and to be printed.

The General Orders were disposed of.

Mr. ARTHUR, from the Committee appointed to count the votes for Solicitors of the Middle and Western Circuits, reported, that for the former Mr. Simeon Fair, and for the latter Mr. Jacob P. Reed, had received a majority of the ballots, and they were declared by the President duly elected to those offices respectively.

Mr. BLAKENEY, from the Committee to count the ballots for Surveyor General, reported that Mr. William F. Ervin had received a majority of the ballots cast, and he was declared by the President duly elected accordingly.

Mr. McALILEY presented the memorial of Giles J. Patterson, in relation to the office of Commissioner in Equity for Chester District; which was referred to the Committee on Accounts and Vacant Offices.

Mr. LESESNE presented the memorial of the Loan and Building Associations, for a continuance of the Act authorizing the suspension of instalments; which was referred to the Committee on Incorporations and Engrossed Acts; and also, the following memorials:

Of the Sweedish Iron Company, for amendment of charter;

Of sundry citizens, for the charter of the Carolina Cotton and Woolen Factory;

Of sundry citizens, for the charter of a Railroad to enable the Iron Companies in Union, Spartanburg and York Districts to obtain coal from the coal fields of North Carolina; which were referred to the Committee on Incorporations and Engrossed Acts.

Mr. LESESNE gave notice that he will ask leave, on Monday, to introduce

A Bill to incorporate the Carolina Cotton and Woolen Factory; also,

A Bill to amend the charter of the Sweedish Iron Manufacturing Company.

Mr. THOMSON gave notice that, on Monday, he will ask leave to introduce

A Bill to organize and provide for a District Police force.

The House of Representatives sent to the Senate the report of the Special Committee of Six upon the Message No. 2 of his Excellency, and the accompanying papers, and sundry resolutions; which were referred to the Committee on Military and Pensions; and also,

Resolutions in relation to the unexampled bravery and heroism of our State troops; which were ordered for consideration, and were unanimously concurred in, and returned to the House of Representatives.

On motion of Mr. HOPE, the Senate adjourned at a quarter to 2, P. M.

# MONDAY, DECEMBER 1, 1862.

The Senate met at 12 o'clock, M. Prayer by the Rev. Dr. Palmer.

The Clerk read the Journal of the proceedings of Saturday.

## ADDITIONAL SENATOR.

Hon. M. T. Appleby, Senator elect from St. George's, Dorchester, appeared at the Clerk's desk, and presented his credentials. The oath was administered, and he took his seat.

Mr. BULL was added to the Committee on the Legislative Library, and the Committee on Agriculture and Internal Improvements; and Mr. APPLEBY was added to the Committee on the Lunatic Asylum and Medical Accounts, and the Committee on Accounts and Vacant Offices.

Returns of Commissioners of Free Schools were presented for the following Districts :

Mr. McKewn,	for St. James', Goose Creek,
Manning,	Clarendon,
Sessions,	Kingston,
Boykin,	Kershaw,
Ware,	Greenville,

and they were referred to the Committee on the College, Education and Religion.

Mr. WILSON submitted the report of the Committee on Commerce, Manufactures and the Mechanic Arts, on

A Bill to provide against dearths of salt, recommending its passage ; which was ordered for consideration to-morrow, and to be printed.

Mr. SIMPSON submitted the report of the Committee on Incorporations and Engrossed Acts, on the memorial of the Charleston Savings' Institution, praying an amendment of its charter, and upon

A Bill to enable the Charleston Savings' Institution to purchase and hold real property, recommending the passage of the Bill ; which was ordered for consideration to-morrow.

Mr. ARTHUR presented the petition of Rose Ann Cuninghame, who was Rose Ann McElheran, asking a release of the right of escheat to a lot in Columbia ; which was referred to the Committee on the Judiciary.

Mr. MOSES offered the following resolution :

*Resolved*, That the Committee on Finance and Banks be instructed to inquire into the expediency of providing by law against the sale of bills of the banks of this State at a premium, so as to make the same a misdemeanor, with leave to report by Bill or otherwise.

The resolution was considered, and agreed to, and the Committee was instructed accordingly.

Mr. SIMKINS introduced the following resolution :

*Resolved*, That it be referred to the Committee on Agriculture, &c., to inquire into the expediency of limiting or discouraging the production of cotton in this State during the next year, and, if deemed expedient, that they report a Bill to carry out that policy.

The resolution was considered, and agreed to, and the Committee was instructed accordingly.

Mr. McCRAW presented the petition of citizens of York District, praying the appointment of a Magistrate ; which was referred to the Committee on Accounts and Vacant Offices.

The Committee on the Judiciary was discharged from the further consideration of the following papers, viz :

Memorial of sundry citizens of this State in relation to the distillation of grain ; and

So much of the Presentment of the Grand Jury of Pickens District as refers to the distillation of whiskey ; and they were referred to the Committee on Agriculture and Internal Improvements.

Mr. BOYKIN for Mr. LESESNE, presented the petition of J. Harrison Baker, Captain of the late Privateer Jefferson Davis, to have a bond cancelled ; which was referred to the Committee on Finance and Banks.

Mr. BOYKIN, for Mr. LESESNE, gave notice that to-morrow he will ask leave to introduce

A Bill to incorporate, with uniform rights, powers and privileges, Protestant Episcopal Congregations in South Carolina.

Mr. HOPE presented the report of the Board of Relief for soldiers' families, asking the Legislature to assess a per centage on all taxable property in the State, to be distributed amongst the Districts according to the number of beneficiaries in each District; which was referred to the Special Committee on the subject of relief to soldiers' families.

Mr. LAWTON gave notice that to-morrow he will ask leave to introduce

A Bill to afford indemnity to the manufacturers of salt, and to prevent extortion in its sale.

The Committee on Accounts and Vacant Offices was discharged from the further consideration of the petition of Giles J. Patterson, relative to the office of Commissioner in Equity for Chester District; and it was referred to the Committee on the Judiciary.

Mr. HARRISON offered the following resolution which was considered :

*Resolved, by the Senate and House of Representatives, That the Committees on Public Printing, of the Senate and House, be instructed to inquire and report as to the expediency of reducing the public printing.*

Pursuant to notice, and with leave of the Senate, Mr. HARRISON introduced

A Bill to provide a District police guard of military cadets.

The Bill received the first reading, and was referred to the Committee on Military and Pensions.

The Senate proceeded to the

#### GENERAL ORDERS OF THE DAY.

The unfavorable report of the Committee on Finance and Banks, on the petition of Rev. B. B. Sams, praying to be refunded a Confederate War Tax, was agreed to.

A Bill to incorporate the Wando, Wambaw, and Winyaw Canal Company, received the second reading, was agreed to, and was ordered to be sent to the House of Representatives, having been first amended, on motion of Mr. THOMPSON, as follows :

Fifth section, in first line, strike out "forever"; second line, "whatsoever"; and after "imposition" insert the following: "until the profits and dividends of said company shall reach ten per cent."

The Senate proceeded to the



## SPECIAL ORDER FOR 1 O'CLOCK, P. M.

A Bill to abolish the Executive Council established by the Ordinance of the Convention, entitled "An ordinance for strengthening the Executive Department during the exigencies of the present war," reported by the Special Committee on that subject.

Resolutions, introduced by the Senator from Newberry, relative to the Governor and Council.

The Bill having been read, the two first resolutions were agreed, to which are as follows :

*Resolved*, 1. That a division of the powers of Government, into the three great departments, the Executive, Judicial and Legislative, is a fundamental principle of constitutional liberty.

*Resolved*, 2. That to vest the Executive powers in a number of Magistrates, of equal dignity and power, or to place the ostensible Executive under the control of associate Magistrates, is to weaken the Executive Department, by destroying its unity, and impairing its energy and responsibility ; and leads to dissensions and distraction in the administration of the laws, and in carrying on the operations of the Government.

While the third resolution was under consideration, Message No. 3, from his Excellency the Governor, was announced, and was read to the Senate by Mr. F. J. Moses, Jr.

The Message, on motion of Mr. GARLINGTON, was ordered to be printed, and to be referred to the Committee on Military and Pensions.

The Senate then resumed the Special Order, and the consideration of the third resolution of the Special Order ; which is as follows :

*Resolved*, 3. That in the opinion of this General Assembly, the constitution of the present Executive Council conflicts with the principles and policy asserted by the foregoing resolutions.

Mr. MAYZCK moved that this resolution do lie on the table ; which question was ordered to be decided by yeas and nays.

They are as follows :

Those who voted in the affirmative, are :

Messrs. Boykin, Furman, Mazyck, Murray, Thomson, and Wilson.

Those who voted in the negative, are :

Hon. W. D. PORTER, President ; Messrs. Appleby, Arthur, Beaty, Blake-ney, Boyle, Bull, Ellis, Fickling, Garlington, Harrison, Hart, Hope, Homer, W. D. Johnson, W. R. Johnson, Keitt, Lawton, Manning, Maxwell, Mc-



Aliley, McCaw, McKewn, E. H. Miller, J. W. Miller, Moses, Oswald, S. W. Palmer, Roberds, Sessions, Simkins, Simpson, Ware and Wortham.

In the affirmative, 6.

In the negative, 34.

The motion, therefore, did not prevail ; and the resolution was then agreed to.

The following preamble and resolutions were then agreed to ; the fourth resolution having been first amended by striking out the following words, viz :

“ And that the Committee on the Judiciary be, and are hereby, instructed to report a Bill for that purpose.”

And whereas the Convention of the people of this State, by an Ordinance, entitled an Ordinance to amend an “ Ordinance for strengthening the Executive Department during the exigencies of the present war,” passed on the seventeenth day of September, in the year of our Lord one thousand eight hundred and sixty-two, declared and ordained, “ that the General Assembly shall have power, by act of the Legislature, to modify the Constitution of the Executive Council, by reducing the number thereof, or restricting the powers conferred thereupon, by the Ordinance of the Convention, or wholly to abolish the said Council ;” Be it, therefore,

*Resolved*, 4. That the Executive Council ought to, and should be, abolished, and the Government restored to its regularly constituted authorities ; and that the Committee on the Judiciary be, and are hereby, instructed to report a Bill for that purpose.

*Resolved*, 5. That the Special Committee heretofore raised to consider that part of the Message No. 1 of his Excellency the Governor which relates to the constitution, powers, proceedings, &c., of the Executive Council, do inquire and report whether an Advisory Council for the Governor be necessary to aid him in the discharge of the duties of his office, rendered more onerous and important by the exigencies of the present war.

A Bill to abolish the Executive Council established by the Ordinance of the Convention, entitled “ An Ordinance for strengthening the Executive Department during the exigencies of the present war,” received its second reading, was agreed to, and was sent to the House of Representatives.

The Senate then, at half-past 3 o'clock, P. M., went into Secret Session.

At ten minutes to 4, P. M., the Secret Session terminated, and the regular Session was resumed.

The seal of secrecy was removed from the action of the Senate relative to a Bill to organize and provide for a District police.

This Bill had been reported by Mr. GARLINGTON, from the Special Committee to which had been referred a portion of the Message No. 2, by his Excellency the Governor. The Bill received the first reading, and the second reading was made the Special Order of the day for to-morrow at one o'clock, and the Bill and report were ordered to be printed.

At eight minutes to 4, P. M., the Senate, on motion of Mr. MANNING, adjourned.

TUESDAY, DECEMBER 2, 1862.

The Senate met at 12, M. Prayer by the Rev. Mr. Gamewell.

The Clerk read the Journal of the proceedings of yesterday.

The House of Representatives sent to the Senate resolutions for the distribution of Petigru's Code ; which was referred to the Committee on the Judiciary.

Mr. HOPE presented the report of the Committee on Roads and Buildings, on the petition of sundry citizens of Williamsburg District, praying for a new road ; which was ordered for consideration to-morrow.

Mr. McALILEY presented the following reports of the Committee on Finance and Banks :

On the petition of T. Harrison Baker, captain of the Privateer Savannah, to have bond cancelled ;

On the report of the Comptroller General on the subject-matter of the petition of Thomas B. Clarkson, for himself and for the estate of Wm. Clarkson, deceased, praying to be refunded a tax illegally collected ;

On the petition of John Williamson, praying to be refunded a portion of War Tax paid on over assessment ;

On the petition of A. W. Dozier, praying to be refunded a tax unlawfully collected ; all of which were ordered for consideration to-morrow.

Mr. BLAKENEY presented the petition of the Soldiers' Board of Relief, and citizens generally of Chesterfield District, for the increase of the tax for the relief of soldiers' families ; which was referred to the Committee on Finance and Banks.

Mr. MAZYCK, for Mr. LESESNE, presented the abstract of the accounts of the Roper Fund, November, 1862 ; which was referred to the same Committee.

The Committee on Finance and Banks was discharged from the consideration of the petition of sundry citizens of Anderson District, praying that provision may be made for the families of soldiers; which was referred to the Special Committee; and also,

From the memorial of B. H. Brown and others, Soldiers' Board of Relief for Barnwell District, asking an additional assessment to meet current expenses for the past year; which was referred to the same Committee.

Mr. ARTHUR presented the petition of Asa George, praying the aid of the State in the construction of a new revolving cannon; which was referred to the Committee on Military and Pensions; and also,

The account of E. R. Stokes for binding done for the State; which was referred to the Committee on Claims and Grievances.

Pursuant to notice, and with leave of the Senate, Mr. LAWTON introduced

A Bill to afford indemnity to the manufacturers of salt, and to prevent extortion in its sale.

The Bill received the first reading, and was referred to the Committee on Commerce, Manufactures and the Mechanic Arts, and was ordered to be printed.

Mr. WARE, from the Committee on Accounts and Vacant Offices, reported the office of Commissioner in Equity for the Districts of Abbeville, Colleton, Lexington and Pickens, vacant; and

On motion of Mr. HOPE, a message was sent to the House of Representatives, proposing to go into a ballot for those offices to-morrow, at 1 o'clock, P. M.

Mr. FURMAN submitted the favorable report of the Committee on the Lunatic Asylum and Medical Accounts, on the petition of N. H. Johnston, praying payment of a medical account; which was ordered for consideration to-morrow.

The following Messages, from his Excellency the Governor, were communicated to the Senate, and read by Mr. MOORE:

### MESSAGE NO. 3.

#### STATE OF SOUTH CAROLINA.

HEAD QUARTERS,  
Columbia, December 2d, 1862. }

*Gentlemen of the Senate and House of Representatives:*

I herewith hand over to you, for safe keeping, four flags, or banners, taken by our heroic and brave men, under the command of their gallant officers.

General Jenkins delivered to me the Michigan banner, and Captain McCord delivered the other three. I send with this copies of their letters to

me, and my replies. You will see that they were taken upon the bloodiest fields of battle.

I think some order ought to be taken, directing them to be properly preserved, as banners upon whose staff the names of our brave young men who are immediately identified with their capture shall be handed down to posterity, for their love and admiration.

One was taken by private Henry Brandes, of Captain McCord's company, Hampton Legion, in the battle of the 30th of August, 1862, at Manassas No. 2, under command of Lieutenant Colonel Geary. Another was taken by Lieutenant B. E. Nicholson, in Captain Watson's company "B," Hampton Legion, in the same battle. Another was captured by Lieutenant E. A. Thomas, of the Washington Light Infantry, Hampton Legion, in the battle of the 29th of August, 1862, at Manassas No. 2. The other was the flag of the sixteenth Michigan Regiment, and was taken at the battle of the 27th of June last, near Richmond, by the Palmetto Regiment of Sharpshooters, commanded by Colonel, now General, Jenkins.

F. W. PICKENS.

On motion of Mr. DURYEA, the Message and accompanying documents was referred to the Committee on the Military.

Message No. 4 of his Excellency the Governor was then received, and was read by his Private Secretary, F. J. Moses, Jr.

## MESSAGE NO. 4.

### STATE OF SOUTH CAROLINA.

HEAD QUARTERS,

December 1, 1862.

*Gentlemen of the Senate and House of Representatives:*

I have been directed by the Board of Trustees of the College, to communicate all the facts in relation to the suspension of the College exercises, and of the occupation of the building for hospital purposes.

In conformity with this, I herewith transmit the papers. It is important for the Legislature to decide whether the College shall remain suspended during the war, or whether it shall be re-opened, at least for all under the age of eighteen. I would most respectfully recommend that it should be kept open in some modified plan for the present, subject to the admission of all not liable to Confederate Conscription. With that view, I recommend a great modification of the regular requirements for the collegiate course of studies. It is to be hoped that many will be applicants to enter on these modified arrangements.

F. W. PICKENS.

## MESSAGE NO. 5.

## STATE OF SOUTH CAROLINA.

HEAD QUARTERS,  
COLUMBIA, December 2d, 1862.

*Gentlemen of the Senate and House of Representatives :*

Under a resolution of the last Legislature, I sent, in the summer of 1861, twenty thousand dollars on to Virginia for the use of our sick and wounded, who were suffering so much after the battle of Manassas.

This fund was placed in a bank, subject to the draft of the senior Colonel from South Carolina, which was Colonel Kershaw. All drafts were subject to his approval, to be given out to the different regiments, upon proper requisitions made by the commanding officer of the regiments from this State.

All but thirteen thousand four hundred and eighty-two dollars and fifty cents has been accounted for, and this sum was, by the action of the last Legislature, placed at the disposal of the Rev. R. W. Barnwell.

His report on the disbursement of this fund was not received in time to be sent in with my first Message. I now transmit the same herewith.

I have no doubt but that the disposition of this fund has been a great blessing to our suffering soldiers, and would most respectfully urge, as I have heretofore done, that an amount be set aside, subject either to the order of the Governor, or of some agent, whose duty it will be to see that our sick and wounded shall not suffer. I know of no better system to be adopted than that which has been so benevolently inaugurated by the Rev. Mr. Barnwell.

The benefits of the system ought to be extended to our troops in the Western army also. It is our sacred duty to see that our brave men are not neglected in any part of the service. Perhaps an agent might be appointed, with military rank, whose duty it should be to visit our troops wherever they are, and the Governor might be entrusted with a specific fund to supply the wants of our men wherever there is suffering, upon requisition made by this agent.

F. W. PICKENS.

Message No. 4 was referred to the Committee on the College, Education and Religion, and the others were referred to the Committee on Military and Pensions.

Mr. J. W. MILLER submitted the presentment of the Grand Jury of Spartanburg District, Fall Term, 1862; which was read, and



So much as relates to public buildings, bridges and roads, was referred to the Committee on Roads and Buildings ;

So much as refers to the distillation of grain, was referred to the Committee on Agriculture and Internal Improvements ;

So much as relates to the procuring of salt, to the Committee on Commerce, Manufactures and the Mechanic Arts ;

And the remainder of the presentment was ordered to lie on the table.

Leave of absence, from the 3d to the 12th inst., was granted to the Senator from St. Peter's.

Pursuant to notice, and with leave of the Senate, Mr. HARRISON introduced

A Bill to afford relief to the families of soldiers in the military service. The Bill received the first reading, and was referred to the Special Committee on the subject of soldiers' families, and was ordered to be printed.

Mr. MANNING presented the petition of J. J. Belser, for compensation for a slave executed ; which was referred to the Committee on Claims and Grievances.

Mr. McKEWN submitted the favorable report of the Committee on the Lunatic Asylum and Medical Accounts,

On the account of Dr. T. J. Goodwyn, for services rendered to prisoners in jail ; which was ordered for consideration to-morrow.

At 1, P. M., the Senate proceeded to the

### SPECIAL ORDER FOR THIS HOUR.

A Bill to organize and provide for a District Police.

After some time spent in the consideration of the Bill, the Senate, at half-past 1, P. M., proceeded to the House of Representatives, and joined the House in a ballot for Secretary of State.

Messrs. Boyle and Bull were appointed the Committee, on the part of the Senate, to count the ballots.

The Senate then resumed the Special Order just suspended,

A Bill to organize and provide for a District Police.

The following amendments were offered :

By Mr. MOSES—Third section, after the word "raise," the following : "and shall have all the powers conferred by the patrol law." Agreed to.

By Mr. McCRAW—Strike out, in third section, all after the words "to be," and insert "elected by the company." This amendment was rejected.

By Mr. HARRISON—Strike out "each," in fifth line, and insert "such ;" after the word "State," insert the words, "in which, in the judgment of the Governor, the same may be necessary." This amendment was rejected.

On motion of Mr. MAZYCK, the Special Order was then discharged, and the same subject was made the Special Order for to-morrow, at 2, P. M.

Mr. BOYLE, from the Committee to count the ballots for Secretary of State, reported that 150 votes were cast; that James R. Duffus received 75 votes, and W. R. Hunt 75 votes; and 76 being a majority, neither of the gentlemen voted for is, therefore, elected.

Leave of absence was granted to the Senator from Newberry from and after to-morrow, until Saturday, on account of sickness in his family; and to the Senator from Prince William's from and after to-morrow, until Monday, on account of severe indisposition.

Pursuant to notice by Mr. LESESNE, Mr. MAZYCK introduced, for him,

A Bill to renew and amend the charter of the Swedish Iron Manufacturing Company of South Carolina, and to change the name thereof; which received the first reading, and was referred to the Committee on Incorporations and Engrossed Acts.

At 3, P. M., the Senate went into Secret Session, and so remained until 20 minutes to 4 o'clock, P. M., when the doors were opened, and the regular Session was resumed.

On motion of Mr. GARLINGTON, the Senate then adjourned.

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## WEDNESDAY, DECEMBER 3, 1862.

The Senate met at 12, M. Prayer by the Rev. Mr. Jacobs.

The Clerk read the Journal of the proceedings of yesterday.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, December 2, 1862.

*Mr. President, and Gentlemen of the Senate:*

The House respectfully proposes to the Senate to go into an election for Secretary of State to-morrow, at half-past twelve, P. M.

By order of the House,

A. P. ALDRICH, *Speaker.*

The message was concurred in, and at the time named the Senate joined the House in the ballot. Messrs. Fickling and Furman were appointed the Committee, on the part of the Senate, to count the ballots.

Mr. MOSES, for Mr. ARTHUR, presented the claim of W. W. Purse for 1862, for work done in the Senate Chamber; which was referred to the Committee on Claims and Grievances.

Mr. MOSES presented the memorial of certain members of the 8th Regiment of Reserves, condemning the policy of drawing so many men from their homes, and their deprivation of the right to elect their field officers, and asking Legislative interposition; which was referred to the Committee on the Military and Pensions.

The Committee on the Military and Pensions was discharged from the further consideration of that part of Message No. 1 of his Excellency the Governor, which relates to the relief of families of deceased soldiers, and the same was referred to the Special Committee under a resolution to consider and report on the subject of the relief of families of soldiers in service.

Mr. HARRISON presented the return of the Commissioners of Free Schools for Anderson District, for 1862; which was referred to the Committee on the College, Education and Religion.

Mr. HART presented the return of the Board of Free Schools for Darlington District, for 1862; which was referred to the Committee on the College, Education and Religion.

Mr. ARTHUR presented the memorial of the Mayor and Aldermen of the City of Columbia, asking an appropriation for the relief of the transient poor; which was referred to the Committee on Finance and Banks.

The PRESIDENT laid before the Senate a communication from Dr. T. L. Ogier, Chief Division Surgeon 1st Military District of South Carolina, relative to the use of the South Carolina College buildings as a Hospital; which was referred to the Committee on the Military and Pensions.

Mr. SIMKINS offered the following resolution:

*Resolved*, That the Committee on Finance and Banks be instructed to inquire and report as to the propriety of no longer exempting certain manufactories of cotton goods in the State from the regular course of taxation.

Which was agreed to.

Mr. GARLINGTON presented the annual report of the Board of Visitors of the South Carolina Military Academy, for 1862; which was referred to the Committee on the Military and Pensions, and ordered to be printed.

Mr. GARLINGTON gave notice that, to-morrow, he will ask leave to introduce

A Bill to re-enact an Act entitled "An Act to extend relief to Debtors, and to prevent the sacrifice of property at public sales."

Mr. GARLINGTON also introduced the following resolution:

*Resolved*, That it be referred to the Committee on Finance and Banks to inquire and report upon the propriety of reducing the commissions now allowed by law to tax collectors of this State.

The resolution was agreed to.

Mr. FICKLING, from the Committee to count the ballots for Secretary of State, on the second ballot, reported that William R. Hunt had received a majority of the ballots cast, and he was declared by the President duly elected accordingly.

Mr. McALILEY presented the petition of Giles J. Patterson, praying to be refunded a War Tax twice paid; which was referred to the Committee on Finance and Banks.

Mr. HARRISON offered the following preamble and resolution; which was considered, and agreed to, and the Committee was instructed accordingly:

In view of the heavy drafts likely to be made on the Treasury at the present session, for the relief of soldiers and their families,

*Resolved*, That the Committee on the College, Education and Religion be instructed to inquire and report as to the propriety of withholding the usual annual appropriations for the College and Free Schools.

The Senate granted leave to Mr. E. G. PALMER to withdraw from its files the account of Isaac H. Means, for work done in the office of Secretary of State.

Mr. HARRISON submitted the following report:

The Committee on Printing, to whom was referred the proposals for the printing for the Senate, ask leave to report: That they have had the same under consideration, and have unanimously appointed R. W. Gibbes Printer for the Senate, and recommend that his appointment be confirmed.

The report was considered, and agreed to.

Mr. BOYKIN, for Mr. LESENE, pursuant to notice, and with leave, introduced

A Bill to incorporate with uniform rights, powers and privileges, the Protestant Episcopal Congregations in South Carolina. The Bill received the first reading, and was referred to the Committee on Incorporations and Engrossed Acts.

Mr. SIMPSON submitted the report of the Committee on Incorporations and Engrossed Acts, on a memorial of the Swedish Iron Manufacturing Company, for amendment of charter; and also on a Bill to renew and amend the charter of the Swedish Iron Manufacturing Company of South Carolina, and to change the name thereof, recommending the passage of the Bill; which was ordered for consideration to-morrow.

The Senate proceeded to the

### GENERAL ORDERS OF THE DAY.

A Bill to alter and amend certain sections of the Road Law, being before the Senate, on the second reading, Mr. MOSES moved that the Bill do lie on the table; which was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are:

Messrs. Appleby, Blakeney, Boykin, Bull, Fickling, Furman, Harrison, Houser, W. D. Johnson, W. R. Johnson, Keitt, Manning, Maxwell, Mazzyk, McAuley, McCaw, Moses, Murray, Oswald, E. G. Palmer, S. W. Palmer, Simkins, Simpson, Thomson, Ware, Wortham.

Those who voted in the negative, are:

Hon. W. D. PORTER, President; Messrs. Arthur, Beaty, Garlington, Hope, Lawton, J. W. Miller, Sessions, Wilson.

In the affirmative, 26.

In the negative, 9.

The motion, therefore, was agreed to, and the Bill was ordered to lie on the table.

The following were ordered to be placed in the General Orders of the Day for to-morrow:

Report of the Committee on Commerce, Manufactures and the Mechanic Arts, on a Bill to provide against dearths of salt;

Report of the Committee on Finance and Banks, on "A Bill to alter and amend the charter of the Bank of Charleston, South Carolina;"

Report of the Committee on Finance and Banks, on "A Bill to authorize the Banks to issue small bills;"

Report of the Committee on Incorporations and Engrossed Acts, on a memorial of the Charleston Savings' Institution, praying an amendment of its charter; and also on "A Bill to enable the Charleston Savings' Institution to purchase and hold real property."

The following favorable reports were agreed to:

Report of the Committee on Roads and Buildings, on the petition of sundry citizens of Williamsburg District, praying for a new road;

Report of the same Committee, on the petition of John Williamson, praying to be refunded a portion of War Tax paid on an over assessment;

Report of the same Committee, on the petition of A.W. Dozier, praying to be refunded a tax unlawfully paid.

The following reports were agreed to, and were ordered to be sent to the House of Representatives for concurrence:



Report of the Committee on Finance and Banks, on the Comptroller General's report on the subject-matter of the petition of Thomas B. Clarkson, for himself and for the estate of W. Clarkson, deceased, praying to be refunded a tax illegally collected;

Report of the same Committee, on the petition of T. Harrison Baker, Captain of the privateer Savannah, to have bond cancelled;

The report of the Committee on the Lunatic Asylum and Medical Accounts, on the petition of Dr. N. H. Johnston, for payment of an account;

The report of the same Committee, on the account of Dr. T. J. Goodwyn, for services rendered prisoners in jail.

The General Orders were disposed of.

At 2, P. M. the Senate went into Secret Session, and so remained until 4, P. M., when the doors were opened, and the regular Session was resumed.

Mr. WILSON moved that the Special Order for this day, at 2, P. M.,

A Bill to organize and provide a Board of District Police, be discharged, and that the same subject be made the Special Order for to-morrow, at 1, P. M., and the same was ordered; and at 4, P. M.,

On motion of Mr. WILSON, the Senate adjourned.

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## THURSDAY, DECEMBER 4, 1862.

The Senate met at 12, M. Prayer by the Rev. Dr. Howe.

The Clerk read the Journal of the proceedings of yesterday.

### PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate

Resolutions in relation to the currency, which were referred to the Committee on Finance and Banks, and resolutions in relation to the Executive Council; which, on motion of Mr. MOSES, were made the Special Order of the Day for Monday next, at 1, P. M., and were ordered to be printed.

The House also sent to the Senate

A resolution granting leave of absence, during this session, to Henry McIver, Solicitor of the Eastern Circuit, on account of military duties, which was concurred in, and returned to the House.

The House also returned to the Senate

A Bill to abolish the Executive Council, established by the Ordinance of the Convention, entitled, "An Ordinance for Strengthening the Executive Department during the exigencies of the present war."

The Bill received the third reading; it was passed; the title changed to "An Act," and was returned to the House of Representatives.

The PRESIDENT laid before the Senate

The Report of the Commissioners for the City of Charleston, under the Ordinance of the Convention, in relation to the removal of non-combatants; which was read and was referred to the Special Committee raised under the 4th resolution referring Message No. 1, of his Excellency the Governor.

Mr. WARE, from the Committee on Accounts and Vacant Offices, reported the office of Adjutant and Inspector General vacant; and on his motion, a message was sent to the House of Representatives, proposing to go into a ballot for that office to-morrow, at 1, P. M.

Returns from Commissioners of Free Schools, for the year 1861, were presented by

Mr. S. W. PALMER, for St. Stephen's.

Mr. SIMPSON, for Laurens.

Mr. RHETT, for Prince William's.

At half-past 12, P. M., the following Messages were communicated to the Senate by his Excellency the Governor, and were read by Mr. F. J. Moses, Jr.

## MESSAGE NO. 6.

### STATE OF SOUTH CAROLINA.

EXECUTIVE DEPARTMENT,  
Columbia, December 3d, 1862.

*Gentlemen of the Senate and House of Representatives:*

I transmit with this a communication from General Beauregard, the distinguished Confederate General now in command of the Military District of South Carolina.

It will be seen that it relates to the adoption of some concerted plan for furnishing negro labor, as soon as possible, in order to finish the defences in and around Charleston. By this communication Brigadier General Gist is appointed to act in concert with State authority in organizing such a system, and anything he may agree to will be adopted and performed by the Confederate Government.

No officer could have been more properly selected than General Gist for this purpose, as he is entirely identified with the agricultural interests of the State.

I therefore recommend that the Chairman of the Committee to which was referred that portion of the Message No. 1 relating to the organization of negro labor, to be attached to our forces in the field, should have an interview with General Gist, who is ready to act, and to present the views of General Beauregard, as well as his own, on the subject-matter. The Confederate Engineer has made his statement as to the number that may be required to finish the present necessary works. A temporary plan might be agreed upon for the present demand, and then a more permanent system might be adopted for the future.

I urge your immediate attention to this matter, as the demand is pressing.

F. W. PICKENS.

## MESSAGE NO. 7.

### STATE OF SOUTH CAROLINA.

EXECUTIVE DEPARTMENT,

Columbia, December 3d, 1862.

*Gentlemen of the Senate and House of Representatives :*

I herewith transmit a report of the Committee appointed by the Gunboat Commission, of Charleston, to examine the plan and specification of Creuz-baur's shot-proof vessels of war. The Committee seem well satisfied of its practicability and efficiency. Lieutenant Maury, of the navy, also approves of it. The main principle that distinguish it from other shot-proof vessels is, that it has compressed cotton placed in such a position as to resist the most powerful shot. It seems to have been tried on the Mississippi, but it is proper to say, that the Navy Department refused to adopt it. I suppose the great difficulty in the way is, that we cannot, at present, procure engines strong enough to propel them. I call it to your attention, for consideration as to its feasibility, and if successful, it would add greatly to our means of defence along our extended sea-coast. We have the timber and the cotton in abundance, if we could get the iron and the machinery.

F. W. PICKENS.

## MESSAGE NO. 8.

### STATE OF SOUTH CAROLINA.

EXECUTIVE DEPARTMENT,

Columbia, December 4th, 1862.

*Gentlemen of the Senate and House of Representatives :*

I herewith transmit the application of Lieutenant Jackson, of the navy, for the extension of the lease of the Columbia Canal. It appears that he is

the agent of the Confederate Government, and desires that the use of this canal may be allowed him for establishing a powder-mill for the navy. The Legislature leased it to Mr. Green on certain conditions, and Lieutenant Jackson bought out his lease. It only extends now for two years, and the application now is to continue it to the agent of the Confederate Government.

It seems that permission was obtained from the City Council to establish a powder-mill, and as the canal is of no use to the State, I think there is no objection to your granting what is desired; but I suggest that if granted, it shall be on condition that if the State thinks proper, in any pressing emergency, she can resume her jurisdiction over, or possession of, the canal by giving one year's notice.

The powder-mill is now in operation.

All the papers in relation to the matter are herewith transmitted.

F. W. PICKENS.

The two first were referred to the Committee on the Military and Pensions, and the last to the Committee on Agriculture and Internal Improvements.

On motion of Mr. GARLINGTON, the Senate, in view of the recent reference, granted leave to the Committee on Military and Pensions to sit during the sessions of the Senate.

### REPORTS OF COMMITTEES.

Mr. MOSES presented the following reports of the Committee on the Judiciary:

On the presentment of the Grand Jury for Darlington, at the Fall Term, 1862; which was ordered for consideration to-morrow.

On a resolution of the House, in relation to the distribution of Petigru's Code of the Statute Law; which was ordered for consideration to-morrow.

Mr. MOSES also, from the same Committee, to which was referred the petition of James Y. Brunson, Jailor, for increase of fees, reported

A Bill to increase the fees of Sheriffs for dieting persons confined in jail. The Bill received the first reading, and was ordered for a second reading to-morrow.

Mr. HOPE, from the Special Committee to which was referred a plan to afford relief to soldiers' families, reported

A Bill to alter and amend "An Act to afford aid to the families of soldiers," passed in the year of our Lord 1861. The Bill received the first reading, and was made the Special Order for to-morrow, at 1, P. M., and was ordered to be printed.



Mr. ARTHUR presented the following reports of the Committee on Claims and Grievances:

On the account of Evans & Cogswell, for printing the Code of Statute Law;

On the account of Evans & Cogswell, for binding done for the State;

On the petition of Lewis M. Ott, praying compensation for the loss of a negro by disease contracted in the public service;

On the petition of Hon. J. B. O'Neill, praying to be refunded a quarter's salary of Thos. J. Gantt, deceased, late Clerk of the Appeal Court;

On the petition of Wm. H. Baker, praying compensation for a negro who died in the public service;

All of which were ordered for consideration to-morrow.

Mr. MANNING offered the following resolution:

*Resolved*, That his Excellency the Governor be, and is hereby, authorized to select six youths (sons of the officers of the army or navy of the Confederate States, who during the existing war have died in battle), who shall be placed in one or the other of the military institutions of this State, to be educated at the charge of a grateful country, as a tribute to the memories of its heroic dead.

Mr. MOSES moved to amend, by inserting, after the word "officers," "or soldiers." While this amendment was pending, the resolution was ordered for consideration to-morrow.

Mr. McALILEY presented the following reports of the Committee on Finance and Banks:

On resolutions instructing the Committee to inquire into the expediency of preventing, by law, the sale of bills of the Banks of this State at a premium;

On the petition of Giles J. Patterson, praying to be refunded a War Tax twice paid;

On the report of the transient poor of the City of Charleston;

On the reports of the Roper Fund; all of which were ordered for consideration to-morrow.

Mr. E. G. PALMER, from the Committee on Agriculture and Internal Improvements, to whom was referred so much of the Message of the Governor, and on certain memorials and presentments of the Grand Juries, relative to distillation from grain, reported

A Bill to suppress the undue distillation of spirituous liquors from the cereal grains of this State; which received the first reading, and was ordered for a second reading to-morrow, and to be printed.

The Senate proceeded to the Special Order for 1, P. M.

A Bill to organize and provide for a District Police.

The following amendments were offered :

By Mr. HOPE: Amend, by adding, in the third line, first section, after the word "Governor," "upon application of the Delegation, or a majority of them, of any District."

Strike out the word "forthwith," in the same line, and add, in fourth line, after the words, "of mounted men," "for such Judicial Districts," so that the section will read, "that it shall be the duty of the Governor, upon application by the Delegation, or a majority of them, of any District, to organize a company of mounted men for such Judicial District," &c.

The amendment was agreed to.

By Mr. SIMKINS: Fifth line, third section, strike out "commanding," and insert "*commissioned*," and after "officers," insert, "or majority of the same."

The amendment was agreed to.

By Mr. WILSON: To strike out the fifth section, and insert the following :

5th. That the officers and privates of said companies shall receive the same rations as are allowed to privates in the Confederate States' service, including forage for their horses; which said rations and forage shall be purchased by the commanding officers of said companies, and paid for by the State; and for that purpose one hundred thousand dollars shall be appropriated and placed in the hands of said commanding officers, to be expended and accounted for by them, which accounting shall be subject to the approval of the Governor; and the officers and privates of said companies shall, during their organization and service, be exempt from all other military and patrol duty.

This amendment was not agreed to.

Mr. WILSON moved that the Bill do lie on the table; which was ordered to be decided by yeas and nays, and they are as follows :

Those who voted in the affirmative, are :

Messrs. Appleby, Blakeney, Boykin, Furman, Hart, W. R. Johnson, McAliley, McCaw, McKewn, J. W. Miller, Ware, Wilson.

Those who voted in the negative, are :

Hon. W. D. PORTER, President; Messrs. Arthur, Beaty, Fickling, Garlington, Harrison, Hope, Houser, W. D. Johnson, Keitt, Lawton, Manning, Maxwell, Mazyck, Moses, Murray, Oswald, E. G. Palmer, S. W. Palmer, Rhett, Sessions, Simkins, Simpson, Thomson, Wortham.

In the affirmative, 12.

In the negative, 25.

The motion, therefore, did not prevail, and the Bill was then agreed to, and ordered to be sent to the House of Representatives.

Mr. HARRISON submitted the following report :

The Joint Committee of the Senate and House of Representatives, to whom were referred the proposals of R. W. Gibbes and C. P. Pelham for printing the permanent work, beg leave to report :

That they have examined the proposals of R. W. Gibbes and C. P. Pelham, and find them substantially the same. They have not been able to agree as to the printer of the permanent work, and ask leave to be discharged from the further consideration of the subject.

The Committee was discharged accordingly, and, on motion of Mr. HARRISON, a message was sent to the House of Representatives, proposing to go into a ballot for printer of the permanent work, at a quarter-past 3, P. M., this day.

The Senate proceeded to the General Orders of the Day.

The following Bills received the second reading, were agreed to, and were ordered to be sent to the House of Representatives :

A Bill to alter and amend the charter of the Bank of Charleston, South Carolina ;

A Bill to renew and amend the charter of the Swedish Iron Manufacturing Company of South Carolina, and to change the name thereof ;

A Bill to enable the Charleston Savings' Institution to purchase and hold real property.

The report of the Committee on Finance and Banks, on

A Bill to authorize the Banks to issue small bills, was placed in the General Orders of the Day for to-morrow.

The report of the Committee on Commerce, Manufactures and the Mechanic Arts, on

A Bill to provide against dearths of salt, was, on motion of Mr. MAZYCK, made the Special Order of the Day for to-morrow, at a quarter-past 2, P. M.

The General Orders of the Day were disposed of.

Message No. 9 from his Excellency the Governor, was communicated to the Senate, and was read by Mr. F. J. Moses, Jr.

## MESSAGE NO 9.

### STATE OF SOUTH CAROLINA.

EXECUTIVE DEPARTMENT,  
Columbia, December 4, 1862.

*Gentlemen of the Senate :*

I herewith transmit all the telegrams in relation to the eight Regiments of State Reserves, recently called into service. They will show the condi-

tions and terms upon which these Regiments have been received. I also transmit herewith the information desired by the following resolution of your body :

*Resolved*, That his Excellency the Governor be requested to communicate to the Senate, as soon as it may be practicable, printed copies of all orders, rules and regulations of the Governor and Council, altering, modifying or repealing the military laws passed by the Legislature of this State; and that he be requested to furnish to the Senate a statement showing the number of men in the State liable to military duty, in the following classes, to wit: Those between thirty-five and forty, forty and forty-five, and forty-five and fifty."

F. W. PICKENS.

The Message was referred to the Committee on Agriculture and Internal Improvements.

The following messages were received from the House of Representatives:

HOUSE OF REPRESENTATIVES, December 4, 1862.

*Mr. President, and Gentlemen of the Senate :*

The House respectfully proposes to the Senate that the Committee on Colored Population of the House, and the Committee on the Military of the Senate, act as a joint Committee on his Excellency the Governor's Message No 6.

By order of the House,

A. P. ALDRICH, *Speaker*.

HOUSE OF REPRESENTATIVES, December 4, 1862.

*Mr. President, and Gentlemen of the Senate :*

The House respectfully proposes to the Senate to go into an election for Assessor of St. Philip's and St. Michael's, to-morrow, at half-past 1, P. M.

By order of the House,

A. P. ALDRICH, *Speaker*.

HOUSE OF REPRESENTATIVES, December 4, 1862.

*Mr. President, and Gentlemen of the Senate :*

The House respectfully proposes to the Senate to go into an election for Commissioners in Equity for the Districts of Abbeville, Lexington, Colleton and Pickens, to-morrow, at 1, P. M.

By order of the House,

A. P. ALDRICH, *Speaker*.

The messages were concurred in, and a message was returned.

The following message was ordered to lie on the table :

HOUSE OF REPRESENTATIVES, December 4, 1862.

*Mr. President, and Gentlemen of the Senate :*

The House respectfully proposes to the Senate to go into an election for Judge of the Appeal Court, on Tuesday next, at 1, P. M.

By order of the House,

A. P. ALDRICH, *Speaker*.

The House of Representatives sent to the Senate the following message :

HOUSE OF REPRESENTATIVES, December 4, 1862.

*Mr. President, and Gentlemen of the Senate :*

The House respectfully concurs with the Senate, to go into an election for Printer of the permanent work of the State, at a quarter-past three o'clock, this day.

By order of the House,

A. P. ALDRICH, *Speaker*.

The Senate concurred, and joined the House in the ballot at the hour mentioned.

Messrs. Garlington and Harrison were appointed the Committee, on the part of the Senate, to count the ballots.

Mr. KEITT presented the petition of sundry citizens of Orangeburg village, for the relief of the destitute families of the soldiers of Orangeburg District ; which was referred to the Committee on Finance and Banks.

Mr. OSWALD presented the petition of Perry F. Buckner, to be relieved from the cost of a tax execution ; which was referred to the Committee on Finance and Banks.

Pursuant to notice, and with leave of the Senate, Mr. GARLINGTON introduced

A Bill to continue in force an Act entitled "an Act to extend relief to debtors, and to prevent the sacrifice of property at public sales." The Bill received its first reading, and was referred to the Committee on the Judiciary.

The House of Representatives returned to the Senate,

An Act to abolish the Executive Council, established by the Ordinance of the Convention, entitled "An Ordinance for strengthening the Executive Department during the exigencies of the present war ;" and it was committed to the Committee on Incorporations and Engrossed Acts.

On motion of Mr. RHETT, the Senate adjourned at half-past 3 o'clock, P. M.



FRIDAY, DECEMBER 5, 1862.

The Senate met at 12, M. Prayer by the Rev. Dr. Boyd.

The Clerk read the Journal of the proceedings of yesterday.

The following message was received from the House of Representatives :

HOUSE OF REPRESENTATIVES, December 4, 1862.

*Mr. President, and Gentlemen of the Senate :*

The House respectfully concurs with the Senate to go into an election for Adjutant and Inspector General to-morrow, at 2, P. M.

By order of the House,

A. P. ALDRICH, *Speaker*.

Mr. BLAKENEY presented the memorial of John S. Burch, praying compensation for the loss of a negro who died while engaged on the fortifications near Charleston; which was referred to the Committee on Claims and Grievances.

The House of Representatives sent to the Senate a resolution on the petition of Joseph Melton, praying aid of the State; which was referred to the Committee on the Military and Pensions.

Also, the following reports of the Committee on Claims :

On account of Yorkville Enquirer, for public printing;

On account of Horry Dispatch, for public printing;

On account of Sumter Watchman, for public printing;

All of which were referred to the Committee on Claims and Grievances.

Also, report of Charleston Delegation

On resolutions in relation to the Records of Charleston District; which was concurred in, and returned.

Mr. HART submitted the memorial of citizens of Darlington District, in reference to the pardon of W. H. Wingate, and praying a limitation of the pardoning power.

Mr. MOSES moved that all the papers except the 6th resolution be ordered to lie on the table; which was ordered to be decided by yeas and nays; and they are as follows :

Those who voted in the affirmative, are :

Hon. W. D. PORTER, President; Messrs. Appleby, Arthur, Barker, Beaty, Boyle, Bull, Fickling, Garlington, Harrison, Hope, Maxwell, McAliley, McCaw, McKewn, E. H. Miller, J. W. Miller, Moses, Oswald, E. G. Palmer, S. W. Palmer, Sessions, Simkins, Simpson, Wortham.

Those who voted in the negative, are :

Messrs. Blakeney, Boykin, Furman, Hart, W. D. Johnson, Keitt, Lawton, Mazyck, Murray, Rhett, Wilson.

In the affirmative, 25.

In the negative, 11.

The motion, therefore, prevailed. The 6th resolution was then referred to the Committee on the Judiciary.

Mr. HART gave notice that, to-morrow, he will ask leave to introduce A Bill to appoint Commissioners of the Poor for Darlington District.

Mr. ARTHUR presented the petition of Dr. W. C. Freeman, for payment of an account for a *post mortem* examination; which was referred to the Committee on the Lunatic Asylum and Medical Accounts.

Mr. ARTHUR submitted the report of the Committee on Claims and Grievances,

On the account of W. W. Purse, for work done in the Senate Chamber; which was ordered for consideration to-morrow.

The PRESIDENT laid before the Senate the annual private report of the indebtedness of officers and directors of the Bank of the State of South Carolina; which was ordered to lie on the table of the Clerk for the inspection of the Senators.

Mr. FURMAN presented the petition of Thomas Williams, praying to be paid the appraisement sum for property destroyed on Sullivan's Island by order of military authority; which was referred to the Committee on Claims and Grievances.

Mr. SIMPSON, from the Committee on Incorporations and Engrossed Acts, reported that an Act to abolish the Executive Council, established by the Ordinance of the Convention, entitled "An Ordinance for strengthening the Executive Department during the exigencies of the present war," reported that the same had been duly engrossed, and was ready for ratification.

Mr. SIMPSON also submitted the report of the same Committee,

On a Bill to incorporate the Importing and Exporting Company of South Carolina, recommending the passage of the Bill; which was ordered for consideration to-morrow.

Mr. HOPE submitted the report of the Special Committee on the relief of soldiers' families, asking to be discharged from the further consideration of the memorial of the Soldiers' Board of Relief for Barnwell District, asking a special Act of assessment; which was ordered for consideration to-morrow.

### BALLOTS.

Pursuant to previous orders, the Senate joined the House of Representatives in ballots for the following officers, at the hours designated, namely :

At 1, P. M., for Commissioners in Equity for Pickens, Colleton, Abbeville and Lexington. Messrs. Hart and Hope were appointed the Committee, on the part of the Senate, to count the ballots.

At half-past 1, P. M., for Assessor of St. Philip's and St. Michael's. Messrs. Houser and W. D. Johnson were appointed the Committee, on the part of the Senate, to count the ballots.

At 2, P. M., for Adjutant and Inspector General. Messrs. W. R. Johnson and Keitt were appointed the Committee, on the part of the Senate, to count the ballots.

Mr. GARLINGTON, from the Committee to count the votes for Printer of the permanent work of the Legislature, reported that Charles P. Pelham had received a majority of the ballots cast; and he was declared by the PRESIDENT duly elected accordingly.

Mr. GARLINGTON presented the petition of Elizabeth Hinson, praying to be refunded a Confederate War Tax wrongfully paid; which was referred to the Committee on Finance and Banks.

Mr. HART submitted a report, showing that the following gentlemen had received a majority of the ballots cast for Commissioners in Equity, viz:

R. A. Thompson, for *Pickens*;

C. B. Farmer, *Colleton*;

W. H. Parker, *Abbeville*;

H. A. Meetze, *Lexington*;

And they were declared by the PRESIDENT duly elected accordingly.

Mr. W. D. JOHNSON, from the Committee to count the ballots for Assessor for St. Philip's and St. Michael's, reported that James S. Johnson had received a majority of the ballots cast; and he was declared by the PRESIDENT duly elected accordingly.

The Senate proceeded to the Special Order of the Day for a quarter-past 2, P. M.,

A Bill to provide against dearths of salt. The Bill received the second reading, was agreed to, and was sent to the House of Representatives.

The Senate then proceeded to the Special Order for 1, P. M.,

A Bill to alter and amend an Act to afford aid to the families of soldiers, passed in the year A. D. 1861; and after some time spent therein, the Bill was postponed until to-morrow.

Mr. KEITT, from the Committee on the part of the Senate to count the ballots for Adjutant and Inspector General, reported that A. C. Garlington had received a majority of the ballots cast. He was therefore declared by the PRESIDENT duly elected accordingly.

Pursuant to notice given by Mr. LESENE, and with leave of the Senate, Mr. MAZYCK introduced, for him, the following Bills, viz:

A Bill to charter the Shelby and Broad River Railroad Company;

A Bill to incorporate the Carolina Cotton and Woolen Company.

The Bills severally received the first reading, and were referred to the Committee on Incorporations and Engrossed Acts.

The Senate proceeded to the

### GENERAL ORDERS OF THE DAY.

The Committee on the Judiciary was discharged from the further consideration of the presentment of the Grand Jury for Darlington District, Fall Term, 1862.

The following reports were agreed to, and ordered to be sent to the House of Representatives for concurrence:

Reports of the Committee on Claims and Grievances, on two accounts of Evans & Cogswell, for printing the Code and for binding for the State;

Report of the same Committee, on the petition of Lewis M. Ott, praying compensation for the loss of a negro by disease contracted in the public service;

Report of the same Committee on the petition of W. H. Baker, praying compensation for a negro who died in the public service.

Report of the Committee on Finance and Banks, on the petition of Giles J. Patterson, praying to be refunded a War Tax twice paid;

Report of the same Committee, on the report of the transient poor of the City of Charleston.

The resolution introduced by Mr. MANNING, relative to education of youths in Military Academies being before the Senate, the following amendments were offered, and agreed to:

By Mr. MOSES: After "officers," insert "or soldiers;" after "army," insert "or of officers or men of the."

By Mr. BARKER: After "battle," the following: "or not being sons of officers or soldiers, are under the age of 18 years, and have behaved with gallantry on the field of battle."

By Mr. LAWTON: After "select," the following: "one youth from each Congressional District of this State."

The resolution, as amended, is as follows:

*Resolved*, That his Excellency the Governor be, and he is hereby, authorized to select one youth from each Congressional District in this State, son of officers or soldiers of the army, or of officers or men of the navy, of the Confederate States, who during the existing war have died in battle, or who, not being sons of officers or soldiers, are under the age of 18 years, and have behaved with gallantry on the field of battle, who shall be placed in one or

the other of the military institutions of this State, to be educated at the charge of a grateful country, as a tribute to the memories of its brave and heroic dead.

The resolution was agreed to, and sent to the House of Representatives for concurrence.

The report of the Committee on Claims and Grievances, on the petition of Hon. J. B. O'Neill, for payment to him of a quarter's salary due the late Thomas J. Gantt, was ordered to be postponed for consideration until tomorrow.

The unfavorable report of the Committee on Finance and Banks, on a resolution instructing them to inquire and report on the expediency of preventing, by law, the sale of the bills of the Banks of the State of South Carolina at a premium, was agreed to.

A Bill to increase the fees of Sheriffs for dieting persons confined in jail, received the second reading, was agreed to, and sent to the House of Representatives.

A resolution, from the House of Representatives, for the distribution of Petigru's Code of the Statute Law of South Carolina, was concurred in, and returned to the House of Representatives.

On motion of Mr. MOSES, the Senate adjourned at 4 o'clock, P. M.

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SATURDAY, DECEMBER 6, 1862.

The Senate met at 12, M. Prayer by Rev. Mr. Kennedy.

The Clerk read the Journal of the proceedings of yesterday.

The Committee on Finance and Banks was discharged from the further consideration of the petition of sundry citizens of Orangeburg village, respecting the fund raised for the relief of the destitute families of the soldiers of Orangeburg District; and it was referred to the Special Committee on the relief of soldiers' families.

Mr. McALILEY presented the report of the Solicitor of the Northern Circuit, on "District officers and their offices;" which was referred to the Committee on the Judiciary.

Mr. SIMKINS presented the following report:



The Committee on the Military and Pensions, to whom was referred Message No. 3 of his Excellency the Governor, accompanying certain flags captured from the enemy, recommend the adoption of the following resolutions:

*Resolved*, That this General Assembly accept with gratification the flags placed in their charge by the Governor, which have been tendered to the State authorities by our brave men in the army of the Confederate States.

*Resolved*, That these flags be placed on exhibition in the Hall of the House of Representatives during the present session of the Legislature, and be thereafter deposited in the Executive Chamber, for safe keeping.

The report was considered and agreed to, and sent to the House of Representatives for concurrence.

Mr. SESSIONS presented the petition of sundry citizens of Horry, praying that the 2d Regiment, 1st Corps of Reserves, be disbanded, and be re-mitted to Confederate service under Conscript Act, and that men over 45 years of age in said corps be discharged; which was referred to the Committee on the Military and Pensions.

Mr. BLAKENEY offered the following resolution, which was agreed to:

*Resolved*, That it be referred to the Committee on the College, Education and Religion, to inquire and report upon the expediency of appropriating the Free School Fund hereafter to the relief of the families of soldiers in the field, and of those who have heretofore died in consequence of wounds and exposure.

Mr. BOYKIN presented the petition of Thomas Lang, praying payment for a negro lost in the public service; which was referred to the Committee on Claims and Grievances.

The House of Representatives sent to the Senate

A resolution requesting his Excellency the Governor to distribute salt; which was referred to the Committee on Agriculture and Internal Improvements.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, December 5, 1862.

*Mr. President, and Gentlemen of the Senate:*

The House respectfully informs the Senate of the appointment, on its part, of the following gentlemen: M. P. O'Connor, J. H. Read, J. J. Brabham, R. M. Johnston, James Hemphill, J. P. Boyce, a Committee, consisting of one from each Congressional District, to nominate suitable persons for President and Directors of the Bank of the State, and requests that the

Senate appoint a similar Committee, to act as a Joint Committee for that purpose.

By order of the House,

A. P. ALDRICH, *Speaker*.

The Senate concurred. Messrs. J. C. Hope, W. D. Johnson, J. C. McKewn, G. W. Oswald, J. W. Miller, R. G. McCaw, were appointed the Committee, on the part of the Senate, and a message was returned accordingly.

The PRESIDENT laid before the Senate the Comptroller General's report on Contingent Accounts against the Lower Division of the Treasury; which was referred to the Committee on Accounts and Vacant Offices.

Leave of absence was granted to the Senator from Newberry, until Tuesday, on account of sickness in his family.

Mr. WILSON presented the return of the Commissioners of Free Schools for Prince George, Winyaw, for 1862; which was referred to the Committee on the College, Education and Religion.

Mr. OSWALD presented the report of the Solicitor of the Southern Circuit; which was referred to the Committee on the Judiciary.

Pursuant to notice, and with leave, Mr. HART introduced

A Bill to provide for the appointment of Commissioners of the Poor for Darlington District.

The Bill received the first reading, and was referred to the Committee on Accounts and Vacant Offices.

Mr. FICKLING gave notice that, on Monday next, he will ask leave to introduce

A Bill for the relief of families who have been driven from the coast, and whose property has fallen into the hands of the enemy.

Returns of Commissioners of Free Schools, for St. John's, Berkely, for 1861 and 1862, were presented by Mr. BARKER, and were referred to the Committee on the College, Education and Religion.

Mr. MAZYCK presented the report of the Treasurer of the Lower Division, and President of the Bank of the State, respecting the Confederate War Tax; which was referred to the Committee on Finance and Banks.

The House of Representatives returned to the Senate, with its concurrence, a resolution in relation to reducing the public printing.

The Senate proceeded to the

#### GENERAL ORDERS OF THE DAY.

A Bill to suppress the undue distillation of spirituous liquors from the cereal grains of this State, received the second reading, was agreed to, and was sent to the House of Representatives.

The reports of the Committee on Finance and Banks, on

A Bill to authorize the Banks to issue small bills, and

A Bill to alter and amend an Act to afford aid to the families of soldiers, passed in the year of our Lord 1861; were ordered to be placed in the General Orders of the Day for Monday next.

The Special Committee on relief to soldiers' families was discharged from the further consideration of the memorial of the Board of Relief for Barnwell District, asking a special Act of assessment.

The report of the Committee on Claims and Grievances, on the account of W. W. Purse, for work done in the Senate Chamber; and

The report of the same Committee, on the petition of Hon. J. B. O'Neill, Chief Justice, praying payment of a quarter's salary of Thos. J. Gantt, late Clerk of the Court of Appeals, were agreed to, and were sent to the House of Representatives for concurrence.

The General Orders, with the exception of the report of the Committee on Incorporations and Engrossed Acts, on

A Bill to incorporate the Importing and Exporting Company of South Carolina, in the hands of the printer, were disposed of.

Mr. McALILEY moved a reconsideration of the unfavorable report of the Committee on Finance and Banks, on a resolution for preventing the sale of bills of the banks of the State at a premium; and, on motion of Mr. MOSES, it was placed in the General Orders of the Day for Monday next.

Mr. MOSES gave notice that, on Monday next, he will ask leave to introduce

A Bill to punish persons or corporations for sale or purchase of bills of any of the local banks of any State in the Confederacy at a premium.

On motion of Mr. HARRISON, the Senate adjourned at 1 o'clock, P. M.

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## MONDAY, DECEMBER 8, 1862.

The Senate met at 12, M. Prayer by the Rev. Mr. Boyce.

### PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate, for concurrence, the following reports:

The report of the Committee on Privileges and Elections,  
Respecting the vacancies in the Board of Managers of Elections at Small's Box, in Lancaster District; which was referred to the Committee on Privileges and Elections.

The reports of the Committee on Claims and Grievances,

On the petition of Joseph L. Breeden, Sheriff of Marlborough District, for moneys expended by him for the State;

On the account of the Darlington Southerner, for public printing;

On the petition of Thomas F. Gosset, praying the payment of jail fees for keeping a prisoner;

On the account of W. J. McKerral, for public printing;

On the account of the Charleston Courier, for public printing; which were referred to the Committee on Claims and Grievances; and also,

The report of the Committee on Education,

On the report of the Commissioner of the Deaf, Dumb and Blind; which was referred to the Committee on the College, Education and Religion.

The reports of the Medical Committee,

On the account of Dr. Joseph F. Harrell for a *post mortem* examination;

On the account of Drs. Powell and Templeton, for a *post mortem* examination; which were referred to the Committee on the Lunatic Asylum and Medical Accounts.

Reports of the Committee of Ways and Means,

On the petition of S. B. Strong, to be refunded a sum of money paid by him to the Collector of the War Tax for Edgefield District;

On the petition of B. S. D. Muekenfuss, to be refunded a War Tax paid by mistake;

On the petition of Daniel Holland, to be refunded an excess of War Tax;

On the petition of P. R. Blalock, to be refunded a tax twice paid;

On the abstract of persons admitted into the Alms-House, at Charleston; and also, of

Expenditures for the Alms-House for the year 1862;

On the petition of J. J. Cheatham and W. I. Cheatham, Executors of B. M. Cheatham, to be refunded a War Tax twice paid;

On the report of the Commissioners of the Poor of Georgetown District, of the Disbursement of the Transient Poor Fund;

All of which were referred to the Committee on Finance and Banks.

The House of Representatives sent to the Senate,

A Bill to enable the Charleston Savings' Institution to purchase and hold real property; which was referred to the Committee on Incorporations and Engrossed Acts; and also,

Resolutions, from the House, in relation to the defence of the city of Charleston by General Beauregard; which received the first reading, and were referred to the Committee on the Military and Pensions.

Pursuant to notice, and with leave of the Senate, Mr. MOSES introduced

A Bill to punish persons or corporations for sale or purchase of bills of any of the local banks of any State in the Confederacy at a premium; which was referred to the Committee on the Judiciary, and was ordered to be printed.

Mr. MAXWELL presented the resolutions of the Pendleton Agricultural Society, on the importance of diffusing and promoting agricultural and scientific information among the citizens of this State; which were referred to the Committee on Agriculture and Internal Improvements.

Mr. LESESNE presented the petition of W. B. Dingle, Sheriff of Charleston District, praying an increase of the fees for jail maintenance; which was referred to the Judiciary Committee; and also,

The account of the Charleston Mercury, newspaper, for public printing; which was referred to the Committee on Claims and Grievances.

Mr. McKEWN presented the report of Henry R. Frost, M. D., Treasurer of St. James', Goose Creek, on the Ludlam School Fund; which was referred to the Committee on the College, Education and Religion.

Mr. MOSES submitted the reports of the Committee on the Judiciary,

On the petition of Giles J. Patterson, in relation to the office of Commissioner in Equity for Chester District; and

On the communication of J. L. Petigru, Commissioner of the Code of Statute Law of South Carolina; which was ordered for consideration tomorrow, and to be printed.

Mr. MANNING presented the petition of M. M. Benbow, and others, praying the re-charter of Nelson's Ferry, for military and other purposes; which was referred to the Committee on Roads and Buildings.

The Senate proceeded to the

### GENERAL ORDERS OF THE DAY.

A Bill to authorize the Banks to issue small bills being before the Senate, on the second reading,

Mr. MOSES moved to amend the Bill by adding, after "dollar," in the proviso, the following:

*"And provided, further, That the banks shall give out the said bills in change for Confederate bills, or for bills of any of the banks of this State."*

While this amendment was pending,



• Mr. MAZYCK moved that the amendment do lie on the table, which question was ordered to be decided by yeas and nays, and they are as follows :

Those who voted in the affirmative, are :

Messrs. Barker, Boykin, W. D. Johnson, Manning, Mazyck, McKewn, E. G. Palmer, S. W. Palmer, Rhett, Thomson.

Those who voted in the negative, are :

Hon. W. D. PORTER, President ; Messrs. Arthur, Blakeney, Bull, Fickling, Furman, Harrison, Hart, Hope, Keitt, Lesesne, Maxwell, McAliley, J. W. Miller, Moses, Sessions, Simkins, Wilson.

In the affirmative, 10 ;

In the negative, 18.

The motion, therefore, did not prevail.

Mr. RHETT moved that the amendment offered by Mr. Moses do lie on the table ; which question was ordered to be decided by yeas and nays, and they are as follows :

Those who voted in the affirmative, are :

Messrs. Lesesne, Manning, McAliley, Rhett, Wilson.

Those who voted in the negative, are :

Hon. W. D. PORTER, President ; Messrs. Arthur, Barker, Blakeney, Boykin, Fickling, Harrison, Hart, Hope, W. D. Johnson, Keitt, Maxwell, Mazyck, McKewn, Miller, Moses, E. G. Palmer, S. W. Palmer, Sessions, Simkins, Thomson.

In the affirmative, 5 ;

In the negative, 21.

The motion, therefore, did not prevail, and the amendment was then agreed to.

The reading having been concluded, the Bill was agreed to, and was sent to the House of Representatives.

A Bill to alter and amend an Act to afford aid to the families of soldiers, passed in the year of our Lord A. D. 1861, being before the Senate, on the second reading,

The following amendments, offered by Mr. HOPE, were agreed to :

Sec. 2—Amendments : In the 2d section, 1st line, after the word "Legislature," strike out all to the words "to afford aid," and substitute these words : "shall appropriate from the public Treasury four hundred thousand dollars," so that it will read : "That the Legislature shall appropriate from the public Treasury four hundred thousand dollars, to afford aid and relief to families of soldiers," &c.

Sec. 3—Amendment : In the 3d section, strike out the first four lines.

Sec. 4—Amendment : Strike out the whole section.

Sec. 5—Amend, by striking out the first three lines, and prefix to the word "be," in the fourth line, "that this appropriation." So that the sec-

tion will read, "that this appropriation be a common fund, to be distributed to the respective Districts and Parishes, according to their white population," &c.

Mr. HARRISON moved to strike out all after the enacting clause, for the purpose of inserting another Bill, which he offered as a substitute.

Mr. McALILEY moved, as an amendment to the amendment, a Bill which he offered.

\* On motion of Mr. W. D. JOHNSON, the original Bill and the amendments were recommitted, and Messrs. Harrison and McAliley were added to the Committee, for the purposes of this Bill.

On motion of Mr. McALILEY, the amendment and the amendment to the amendment were ordered to be printed.

The report of the Committee on Finance and Banks,

On a resolution for preventing the sale of bills of the State at a premium, was, on motion of Mr. MOSES, placed in the General Orders of the Day for to-morrow.

On motion of Mr. HARRISON, the Senate took up from the table a message from the House of Representatives, proposing to go into a ballot for Judge of the Appeal Court to-morrow, at 1 o'clock, and it was placed in the General Orders of the Day for to-morrow.

The General Orders were disposed of.

On motion of Mr. WILSON, the Senate adjourned at half-past 2 o'clock, P. M.

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TUESDAY, DECEMBER 9, 1862.

The Senate met at 12, M. Prayer by the Rev. Mr. Pringle.

The Clerk read the Journal of the proceedings of yesterday.

Mr. WARE, from the Committee on Accounts and Vacant Offices, reported the office of Judge of the Court of Appeals vacant.

Mr. HARRISON moved that the Senate take up from the table a message from the House of Representatives, proposing a ballot for that office this day, at 1, P. M. On his motion, the message was again ordered to lie on the table, and a message was sent to the House of Representatives, proposing to go into a ballot for Judge of the Court of Appeals on Thursday next, at 1, P. M.

Mr. HOPE submitted the following report, which was ordered to be printed, and to lie on the table :

The Special Joint Committee, appointed on the part of the two Houses to nominate suitable persons for President and four Directors of the Bank of the State of South Carolina, ask leave to report the following nominations :

*For President*—C. M. Furman.

*For Directors*—W. C. Dukes, J. P. Deveaux, C. F. Hanckel, W. F. McMillan.

The Committee on Incorporations and Engrossed Acts was discharged from the further consideration of the petition of the Bank of Charleston, asking for an amendment of charter, and it was referred to the Committee on Finance and Banks.

Mr. MURRAY presented the report of the Committee on Incorporations and Engrossed Acts,

On a Bill to incorporate, with uniform rights, powers and privileges, Protestant Episcopal Congregations in South Carolina. The Bill received the first reading, and was ordered for a second reading to-morrow.

The PRESIDENT laid before the Senate a communication from the Clerk of the Senate, asking instruction relative to a rule of the Senate, adopted at its last session, relative to amendments, &c.; which was referred to the Committee on the Judiciary.

Mr. ARTHUR presented the following reports of the Committee on Claims and Grievances :

On the petition of Wm. Carter, for payment for services as Deputy Marshal, in 1860 ;

On the memorial of John S. Burch, praying compensation for a slave who died in the public service ;

On the account of the Charleston Mercury, for printing done for the State ;

On the petition of J. J. Belser, praying compensation for a slave executed ; all of which were ordered for consideration to-morrow.

Mr. ARTHUR also submitted the following reports of same Committee, on the reports of the Committee on Claims, of the House of Representatives, (recommending concurrence :)

On the account of the Sumter Watchman, for public printing ;

On the account of the Horry Dispatch, for public printing ;

On the account of W. J. McKerral, for public printing ;

On the account of the Yorkville Enquirer, for public printing ;

On the petition of F. Gossett, praying payment for jail fees ;

On the petition of Joseph L. Breeden, Sheriff of Marlboro' District, for money expended by him under a requisition of the Governor ;

On the account of J. M. Brown, of the Darlington Southerner, for public printing ;

On the account of A. S. Willington & Co., of the Charleston Courier, for public printing ; all of which were ordered for consideration to-morrow.

Mr. E. G. PALMER, from the Committee on Agriculture and Internal Improvements, reported

A Bill to vest the Columbia Canal in the City Council of Columbia for the term of years therein mentioned.

The Bill received the first reading, and was ordered for a second reading to-morrow, and to be printed.

The Senate proceeded to the

### GENERAL ORDERS OF THE DAY.

The report of the Committee on the Judiciary,

On the memorial of Giles J. Patterson, in relation to the office of Commissioner in Equity for Chester District, was agreed to.

The report of the same Committee, on the communication of J. L. Petigru, Commissioner of the Code, was agreed to, and ordered to be sent to the House of Representatives for concurrence.

The report of the Committee on Finance and Banks,

On a resolution for preventing the sale of bills of the Banks of the State at a premium ; and

The report of the Committee on Incorporations and Engrossed Acts,

On a Bill to incorporate the Importing and Exporting Company of South Carolina, were ordered to be placed in the General Orders of the Day for to-morrow.

The General Orders were disposed of.

The House of Representatives sent to the Senate the following message :

HOUSE OF REPRESENTATIVES, December 9, 1862.

*Mr. President, and Gentlemen of the Senate :*

This House respectfully concurs with the Senate to unite, Thursday, 11th inst., at 1, P. M., in a ballot for Judge of the Appeal Court.

By order of the House,

A. P. ALDRICH, *Speaker.*

The House of Representatives also sent to the Senate, for concurrence,

A resolution for the appointment of an additional Magistrate for Edgefield District ; which was referred to the Committee on Accounts and Vacant Offices ; and

A resolution in relation to the drafts of Commissioners of Free Schools ; which was referred to the Committee on the College, Education and Religion.

Mr. LESESNE offered the following resolution, which was considered and agreed to :

*Resolved*, That the privilege of a seat on the floor of the Senate be offered to the Hon. Arthur P. Hayne, a distinguished officer in the war of 1812.

The Senate proceeded to the

#### SPECIAL ORDER FOR ONE O'CLOCK, P. M.

Resolutions, from the House of Representatives, relative to the Governor and Council.

Mr. THOMSON asked to be excused from voting on the 5th and 6th resolutions, on the ground that the said 5th and 6th resolutions are admitted to contain, and do involve, censure of a body whose acts are not properly the subjects of review by the Senate.

On the question being taken, the Senator was excused.

Mr. FICKLING moved to reconsider the vote just taken, and this motion prevailed.

The matter being again before the Senate for consideration, Mr. THOMSON asked leave of the Senate to be excused from voting on the resolutions, and on the question being taken, the Senator was excused.

Mr. WILSON moved that the resolutions do lie on the table, which was ordered to be decided by yeas and nays, and they are as follows :

Those who voted in the affirmative, are :

Messrs. Barker, Blakeney, Boykin, Furman, Hart, Hope, W. D. Johnson, Keitt, Lawton, Mazyck, McCaw, Murray, Oswald, S. W. Palmer, Rhett, Wilson.

Those who voted in the negative, are :

Hon. W. D. PORTER, President ; Messrs. Appleby, Arthur, Beaty, Boyle, Bull, Fickling, Harrison, Houser, Lesesne, Manning, Maxwell, McAliley, J. W. Miller, Moses, E. G. Palmer, Simkins, Wortham.

In the affirmative, 16 ;

In the negative, 18.

The motion, therefore, did not prevail.

On motion of Mr. McALILEY, the Senate adjourned at a quarter-past 4 o'clock, P. M.



## WEDNESDAY, DECEMBER 10, 1862.

The Senate met at 12, M. Prayer by the Rev. Mr. Mullally.

The Clerk read the Journal of the proceedings of yesterday.

The PRESIDENT announced that the business first in order was the resolutions, from the House of Representatives, relative to the Executive Council, which were under debate when the House adjourned yesterday.

On motion of Mr. MOSES, the Special Order was discharged, and the same subject was made the Special Order for this day at 2, P. M.

Mr. MOSES submitted the following report :

The Special Joint Committee of six, to whom were referred sundry Ordinances of the Convention, ask leave to be discharged from the further consideration of the following Ordinances :

An Ordinance to exempt overseers from the performance of military duty.

An Ordinance in relation to a portion of the militia ;

An Ordinance to enable citizens of the State who are engaged in military service to exercise the right of suffrage ;

An Ordinance to provide for the removal of negroes and other property from portions of the State which may be invaded by the enemy.

The Committee was discharged accordingly, and the several subjects were referred as follows :

An Ordinance to exempt overseers from the performance of military duty, and an Ordinance in relation to a portion of the militia, were referred to the Committee on the Military and Pensions.

An Ordinance to enable citizens of the State who are engaged in military service to exercise the right of suffrage, was referred to the Committee on Privileges and Elections.

An Ordinance to provide for the removal of negroes and other property from portions of the State which may be invaded by the enemy, was referred to the Committee on the Judiciary.

Mr. MOSES also presented the account of Samuel Watson, Sheriff of Sumter District, for articles furnished jail; which was referred to the Committee on Claims and Grievances.

## REPORTS OF COMMITTEES.

Mr. APPLEBY presented the report of the Commissioners of Free Schools for St. George's, Dorchester ; which was referred to the Committee on the College, Education and Religion.

Mr. HOPE, from the Special Committee on the subject of relief to soldiers' families, to which had been recommitted a Bill reported by that Committee, and to which had been referred an amendment thereto, and an amendment to the amendment, submitted a report, recommending the adoption of the amendment to the amendment offered by Mr. McAliley, together with certain amendments recommended by the Committee; and the Committee further recommended that all other matters referred to it do lie on the table. The report was ordered for consideration to-morrow, and to be printed.

Mr. MOSES submitted the following report :

The Committee on the Judiciary, to which was referred a communication from the Clerk of the Senate, relative to certain amendments being introduced on the Journal, beg leave respectfully to report :

That they have considered the same, and they think the Clerk has taken a correct view of the object of the order made in 1861 by the Senate. The Committee does not think amendments, even though offered in writing, should be entered on the Journal, when they relate to verbal alterations, and the perfecting of the details of Bills and other documents. The Clerk has correctly construed the intention of the order to be to place important propositions on record, or such as modify or change the measures before the Senate.

Your Committee, therefore, recommend the adoption of the following resolution :

*Resolved*, That hereafter written amendments offered to Bills, Reports, &c., upon which the yeas and nays are not called, shall not be recorded on the Journal, unless the substance involves some material change or modification of the paper before the Senate; and if the Clerk is in any doubt in such cases, he shall be governed, as heretofore, by the opinion of the presiding officer of this body.

All of which is respectfully submitted.

F. J. MOSES, *Chairman*.

Mr. SIMPSON submitted the following reports of the Committee on Incorporations and Engrossed Acts :

On a Bill to continue of force an Act entitled "An Act to authorize certain Building and Loan Associations to suspend the call for monthly instalments," and also on a memorial on the same subject ;

On a memorial of sundry citizens, praying the charter of a railroad to obtain coal from the coal fields of North Carolina, and also on a Bill to charter the Shelby and Broad River Railroad Company ;

On a Bill to incorporate the Carolina Cotton and Woolen Factory, and on a petition upon the same subject; all of which were ordered for consideration to-morrow, and the last two to be printed.

Mr. WARE submitted the report of the Committee on Accounts and Vacant Offices,

On a Bill to provide for the appointment of Commissioners of the Poor for Darlington District; which was ordered for consideration to-morrow.

Mr. McALILEY submitted the following reports of the Committee on Finance and Banks:

On the petition of Perry F. Buekner, to be relieved from paying the costs of a tax execution;

On the petition of Mrs. Elizabeth Hinson, praying to be refunded a Confederate War Tax wrongfully paid.

Reports of the Committee on Finance and Banks, on the reports of the Committee of Ways and Means, of the House of Representatives (recommending concurrence in the following):

On the petition of P. R. Blalock, to be refunded a tax twice paid;

On the petition of S. B. Sturn, to be refunded a sum of money paid to the Collector of the War Tax for Edgefield District;

On the report of the Commissioners of the Poor for Georgetown District;

On the petition of J. J. Cheatham and others, to be refunded a War Tax twice paid;

On the petition of B. S. D. Muekenfuss, to be refunded a War Tax paid by mistake;

On the petition of T. C. Bolling, to be refunded an excess of War Tax;

On the petition of Daniel H. Holland, to be refunded an excess of War Tax;

On the abstract of persons admitted into the Alms-House at Charleston, for 1862, and expenditures therefor; which were ordered for consideration to-morrow.

Mr. E. G. PALMER submitted the unfavorable reports of the Committee on Agriculture and Internal Improvements, on resolutions from the Pendleton Agricultural Society; and

On a resolution, from the House of Representatives (recommending concurrence), requesting the Governor to distribute salt; which were ordered for consideration to-morrow.

Mr. GARLINGTON presented the petition of holders of lots on Sullivan's Island, praying exemption from taxation during the war; which was referred to the Committee on Finance and Banks.

Mr. W. D. JOHNSON presented the petition of sundry citizens of Marlboro' District, praying relief against arbitrary arrests for military service; which was referred to the Committee on Military and Pensions.

Mr. SIMKINS presented the petition of sundry citizens of Edgefield District, praying that the jurisdiction of the Court of Ordinary be extended in certain respects; which was referred to the Committee on the Judiciary.

Mr. LESESNE presented the petition of Thomas F. Davis, Bishop of the Protestant Episcopal Church in South Carolina, praying for a general Act of Incorporation of Episcopal Churches in the State; which was referred to the Committee on Incorporations and Engrossed Acts.

Mr. McCRAW offered a resolution authorizing the Governor to appoint an Assistant Adjutant General; which was referred to the Committee on the Military and Pensions.

The Senate proceeded to the

### GENERAL ORDERS OF THE DAY.

The report of the Committee on Incorporations and Engrossed Acts,

On a Bill to incorporate, with uniform rights, powers and privileges, Protestant Episcopal Congregations in South Carolina, was recommitted, on motion of Mr. MURRAY.

The reports of the Committee on Claims and Grievances,

On the petition of Wm. Carter, for payment as Deputy Marshal;

On the memorial of John S. Burch, for compensation for a slave who died in the public service;

On the account of the Charleston Mercury, for public printing;

On the petition of J. J. Belser, praying compensation for a slave executed, were agreed to, and were ordered to be sent to the House of Representatives for concurrence.

The following reports of the Committee on Claims, of the House of Representatives, were concurred in, and returned:

On the account of the Sumter Watchman, for printing:

On the account of the Horry Dispatch, for public printing;

On the account of W. J. McKerral, for public printing;

On the account of the Yorkville Enquirer, for public printing;

On the petition of F. Gossett, for payment of jail fees;

On the petition of Jos. L. Breeden, of Marlboro' District, for moneys expended by him under a requisition of the Governor;

On the account of the Darlington Southerner, for public printing;

On the account of A. S. Willington & Co., of the Charleston Courier, for public printing.

A Bill to vest the Columbia Canal in the City Council of Columbia for the term of years therein mentioned, was amended by striking out "Council," from the title, and the Bill received the second reading, was agreed to, and was ordered to be sent to the House of Representatives.



A Bill to incorporate the Importing and Exporting Company of South Carolina, being before the Senate, on the second reading, Mr. MAZYCK offered the following amendment to the 6th Section :

SEC. 6. In case the capital of the said Company shall at any time be sunk, or diminished or impaired by losses in trade or the depreciation of property, or in any other way, it shall be restored to its original amount by contributions, to be made by the stockholders in proportion to their respective interests in the same ; and if they shall continue to carry on business without having restored the capital as aforesaid, then the stockholders shall be individually liable for the debts of the Company, in the same manner as if they were not incorporated.

On the question of agreeing to the amendment, the yeas and nays were ordered, and they are as follows :

Those who voted in the affirmative, are :

Messrs. Barker, Beaty, Boyle, Houser, Keitt, Mazyck, McKewn.

Those who voted in the negative, are :

Hon. W. D. PORTER, President ; Messrs. Appleby, Arthur, Blakeney, Garlington, Harrison, Hope, W. D. Johnson, Lawton, Lesesne, Maxwell, McAliley, McCaw, J. W. Miller, Moses, Murray, Oswald, E. G. Palmer, S. W. Palmer, Rhett, Simpson, Thomson, Ware, Wortham.

In the affirmative, 7 ;

In the negative, 24.

The amendment, therefore, was not agreed to.

The reading of the Bill was then concluded, and it was agreed to, and sent to the House of Representatives.

The unfavorable report of the Committee on Finance and Banks, on a resolution in relation to the sale of bills of the banks of the State at a premium, was ordered to be placed in the General Orders of the Day for to-morrow.

The General Orders were disposed of.

Mr. THOMSON, from the Special Committee, reported

A Bill to organize a supply of negro labor for coast defence, in compliance with requisitions of the Confederate Government ; which received the first reading, and was ordered for a second reading to-morrow, and to be printed.

Mr. HARRISON offered the following preamble and resolution :

The number of applications being made to this General Assembly by citizens of this State, for compensation for slaves killed or injured, or dying from disease, whilst in the service of the State, renders it advisable that a speedy, certain and satisfactory mode for the adjustment of such claims should be adopted ; therefore,



*Resolved*, That the Committee on the Judiciary be instructed to inquire and report as to the expediency and propriety of establishing a Court for the adjudication of such claims, with leave to report by Bill.

The resolution was considered, and agreed to, and the Committee was instructed accordingly.

The House of Representatives sent to the Senate,

A Bill to authorize the State to guarantee the bonds of the Confederate States; which received the first reading, and was referred to the Committee on Finance and Banks.

At 2, P. M., the Senate proceeded to the Special Order for this hour—resolutions from the House of Representatives—which are as follows:

*Resolved*, 1. That we feel unabated respect and affection for our State Constitution, which has so long secured the rights and contributed to the prosperity of the citizens of the State.

*Resolved*, 2. That we still regard the separation of the Legislative, Executive and Judicial powers as fundamental, and necessary to the existence of the Constitution.

*Resolved*, 3. That all attempts to set aside this necessary distinction, and to associate these separate departments of political power, should be regarded as mischievous, and if successful, must inevitably lead either to anarchy or despotism.

*Resolved*, 4. That according to experience and sound theory, Conventions should only be called to provide for important organic changes, and not to conduct the Government of the State, either directly or through Committees or Council appointed for that purpose.

*Resolved*, 5. That there is, and always must be, an essential difference as to power, capacity and right, between the people themselves and any Convention of their Delegates, for whatever purpose assembled, and that to confound this must in the end lead to gross usurpation and wrong.

*Resolved*, 6. That we regard with profound regret any measures which may have been adopted by the late Convention at variance with these principles, or any such action as may have been had under its countenance, and feel that it is incumbent upon this Legislature to remedy, as far as they can, any mischief or inconvenience that may have resulted therefrom.

The first five resolutions were concurred in without a division.

On the question of concurring to the 6th resolution, the yeas and nays were ordered, and they are as follows:

Those who voted in the affirmative, are:

Messrs. Appleby, Arthur, Beaty, Blakeney, Boyle, Ellis, Fickling, Garlington, Harrison, Houser, Keitt, Lesesne, Manning, Maxwell, McAliley, McKewn, E. H. Miller, J. W. Miller, Moses, E. G. Palmer, Sessions, Simkins, Simpson, Ware, Wortham.

Those who voted in the negative, are :

Hon. W. D. PORTER, President; Messrs. Barker, Hart, W. D. Johnson, Lawton, Mazyck, McCaw, Murray, Oswald, S. W. Palmer, Rhett.

In the affirmative, 25;

In the negative, 11.

The resolution was, therefore, concurred in; and the resolutions were concurred in, and returned to the House of Representatives.

The PRESIDENT assigned the following reasons for his vote on the 6th resolution :

The PRESIDENT said: I desire to express my reasons for the vote I shall give. The first five resolutions contain declarations of principle. Upon these I have no objection to express my judgment. They may be necessary or proper to define the position of the General Assembly upon matters which have agitated the people of the State. It is perhaps due to the people that their representatives should express, in some such form, what are believed to be their convictions.

Upon the first four resolutions there does not appear to be any difference of opinion. In relation to the fifth, it is my opinion that a "Convention of the People" (so called in the Constitution) speaks properly in the name of the people, and exercises their whole power upon the subject-matter referred to it; but at the same time, I believe that a Convention called by legislative authority, under the Constitution, and existing and acting concurrently with the organized Government, may and should be limited. The people put limitations upon themselves by their fundamental law; and these limitations operate practically so long as that law is in force. The distinction seems to me to be clear between a revolutionary Convention, where the political elements are at large, and the people are seeking to form a Government for themselves, and a constitutional Convention, which springs from, and recognizes the existence of, the organized Government. The former is without limitation—the latter is and should be limited. Any other doctrine would place the people at the mercy of their delegates, in relation to matters with which they never intended to charge them, and might bring about changes in their organic law which they could restore only by force. If, then, a Convention can be limited in the range of its action, it must be something less in "power, capacity and right," than the people themselves; and this, whether its acts, in excess or transgression of the purposes for which it was called, be the subject-matters of judicial correction, or only moral wrong, as violations of good faith.

The sixth resolution has reference to the *acts* and *measures* of the Convention. I am unwilling to join in a *general* censure, whether direct or indirect, the action of a body which contained within itself so much patriotism and wisdom, and which has conferred such great and eminent services upon the State. The censure is vague, and without specification. If anything has been done by the Convention which requires a remedy at the hands of the Legislature, I shall be ready to vote upon the Bill or Resolution which proposes to correct the mischief or inconvenience. But I am unwilling, by a *general* resolution, to condemn the action of the Convention, or to perpetuate an antagonism between it and the General Assembly. The record of both will go down to a late posterity, who will pronounce upon each the impartial verdict of history. I hope and believe they will find enough in both to attract their admiration and their gratitude.

Upon the 6th resolution I vote, *no*.

On motion of Mr. MOSES, the Senate adjourned at 15 minutes past 2, P. M.

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#### THURSDAY, DECEMBER 11, 1862.

The Senate met at 12, M. Prayer by the Rev. Dr. Reynolds.

The Clerk read the Journal of the proceedings of yesterday.

#### REPORTS OF COMMITTEES.

Mr. SIMPSON submitted the report of the Committee on Incorporations and Engrossed Acts,

On a petition of Thos. F. Davis, Bishop of the Protestant Episcopal Church in South Carolina, for a general Act of Incorporation of the Episcopal Churches in the State; and also,

On a Bill to incorporate, with uniform rights, powers and privileges, Protestant Episcopal Congregations in South Carolina; which was ordered for consideration to-morrow.

Mr. MOSES submitted the report of the Committee on the Judiciary,

On a Bill to continue in force an Act entitled "An Act to extend relief to debtors, and to prevent the sacrifice of property at public sales;" which was ordered for consideration to-morrow.

Mr. LAWTON submitted the report of the Committee on the Lunatic Asylum and Medical Accounts,

On the account of Dr. R. W. Bates, for a *post mortem* examination; which was ordered for consideration to-morrow.

And also the report of the same Committee,

On the report of the Medical Committee, of the House, on the account of Drs. Powell and Templeton, for a *post mortem* examination; which was ordered for consideration to-morrow.

Mr. McALILEY submitted the report of the Committee on Finance and Banks,

On resolutions in relation to the currency; which was ordered for consideration to-morrow;

And also the report of the same Committee,

On a Bill to guarantee the bonds of the Confederate States; which was ordered for consideration to-morrow, and to be printed.

Mr. W. R. JOHNSON submitted the report of the Committee on the Lunatic Asylum and Medical Accounts,

On the report of the Medical Committee, of the House, on the account of Dr. Jos. F. Howell, for a *post mortem* examination; which was ordered for consideration to-morrow.

Mr. WILSON submitted the report of the Committee on Commerce, Manufactures and the Mechanic Arts,

On the petition of the Trustees of the Marine School of Charleston, praying aid, and

On so much of the Governor's Message as refers to the same subject; which was ordered for consideration to-morrow.

Mr. McALILEY, from the Committee on Finance and Banks, to which had been referred

A Bill to punish persons or corporations for sale or purchase of bills of any of the local banks of any State in the Confederacy at a premium, submitted a report, recommending that the Bill do not pass.

The report was ordered for consideration to-morrow, and the Bill and report were ordered to be printed.

The Committee on the Judiciary was discharged from the further consideration of the report of the Commissioners for the city of Charleston, in relation to the removal of non-combatants, and

The Ordinances and resolutions of the Convention on the same subject; and the several matters were referred to the Committee on Finance and Banks.

The Senate granted leave to Mr. SESSIONS to withdraw from its files the account of William Carter.

Mr. HOPE offered a resolution providing that the chairman of the Committee of Roads and Buildings, of the Senate, and of Roads, Bridges and Ferries, of the House of Representatives, do send with the Road Bill the petitions, memorials, &c., referring to the matters embraced in the Bill; which was considered, and agreed to, and sent to the House of Representatives for concurrence.

Mr. BLAKENEY presented the account of Dr. D. J. McRae, for a *post mortem* examination; which was referred to the Committee on the Lunatic Asylum and Medical Accounts.

The House of Representatives returned to the Senate

A Bill to suppress the undue distillation of spirituous liquors from the cereal grains of this State; which had been twice read in each House, and had been amended by the House of Representatives on the second reading.

The Bill and the amendments were ordered to be printed, and the Bill was ordered for a third reading to-morrow.

Mr. LESESNE offered a resolution providing for the appointment of an agent to proceed to Richmond for the settlement of accounts against the Confederate Government; which was referred to the Committee on Finance and Banks.

At 1, P. M., pursuant to previous orders, the Senate joined the House in a ballot for Judge of the Court of Appeals. Messrs. Lawton and Lesesne were appointed the Committee, on the part of the Senate, to count the ballots.

Message No. 10, from his Excellency the Governor, referring to the removal of records to the new State House, and guarding the same, was communicated to the Senate, and was read by Mr. F. J. Moses, Jr.

The Message was referred to the Committee on the New State House.

The Senate proceeded to the

#### GENERAL ORDERS OF THE DAY.

The following Bills received the second reading, were agreed to, and were sent to the House of Representatives:

A Bill to charter the Shelby and Broad River Railroad Company;

A Bill to continue of force an Act entitled an Act to authorize certain Building and Loan Associations to suspend the call for monthly installments.

A Bill to provide for the appointment of Commissioners of the Poor for Darlington District;

A Bill to incorporate the Carolina Cotton and Woolen Factory.

The unfavorable report of the Committee on Finance and Banks,

On the petition of Perry F. Buckner, to be relieved from paying the costs of a tax execution, was agreed to.

The report of the Committee on Finance and Banks,



On the petition of Elizabeth Hinson, praying to be refunded a Confederate War Tax wrongfully paid, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The following reports were concurred in, and returned to the House of Representatives :

The reports of the Committee of Ways and Means,

On the petition of P. R. Blalock, to be refunded a tax twice paid ;

On the petition of S. B. Sturn, to be refunded a sum of money paid to the Collector of the War Tax for Edgefield District ;

On the report of the Commissioners of the Poor for Georgetown District ;

On the petition of J. J. Cheatham and others, to be refunded a War Tax twice paid ;

On the petition of B. S. D. Muckenfuss, to be refunded a War Tax paid by mistake ;

On the petition of T. C. Bolling, to be refunded an excess of War Tax ;

On the petition of Daniel H. Holland, to be refunded an excess of War Tax ;

On the abstract of persons admitted into the Alms-House at Charleston for 1862, and expenditures therefor.

The unfavorable report of the Committee on Finance and Banks,

On a resolution in relation to the sale of bills of the Bank of the State at a premium (resolution introduced by the Senator from Sumter), was, on motion of Mr. MOSES, ordered to lie on the table.

The unfavorable report of the Committee on Agriculture and Internal Improvements,

On the resolutions of the Pendleton Agricultural Society, was agreed to.

A resolution, from the House of Representatives, requesting the Governor to distribute the ocean salt on hand to the different Boards for Soldiers' Relief throughout the State, was concurred in, and returned to the House of Representatives.

The report of the Special Committee on the subject of relief to soldiers' families, on the recommitted Bill and amendments (the Committee recommend the passage of the amendment to the amendment offered by Mr. McALILEY), was made the Special Order of the Day for to-morrow, at 1, P. M.

A Bill to organize a supply of negro labor for coast defence, in compliance with requisitions of the Confederate Government (reported by the Special Committee on that subject), was made the Special Order of the Day for to-morrow at 2, P. M.

The General Orders were disposed of.

Mr. LAWTON, from the Committee to count the ballots for Judge of the Court of Appeals, reported that Thomas J. Withers had received a ma-

jority of the ballots cast, and he was declared by the PRESIDENT duly elected accordingly.

The House of Representatives sent to the Senate, for concurrence, the following resolution, which was ordered for consideration to-morrow :

*Resolved*, That the General Assembly will recede from business on Thursday, the 18th December, inst., at 12, M., and will re-assemble for business on Tuesday, 20th January, 1863, at 7, P. M.

On motion of Mr. HARRISON, the Senate adjourned at 2 o'clock, P. M.

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#### FRIDAY, DECEMBER 12, 1862.

The Senate met at 12, M. Prayer by the Rev. Mr. Yates,  
The Clerk read the Journal of the proceedings of yesterday.

#### REPORTS OF COMMITTEES.

Mr. LAWTON submitted the report of the Committee on the Lunatic Asylum and Medical Accounts,

On the report of the Regents of the Lunatic Asylum.

Mr. APPLEBY submitted the report of the Committee on the Lunatic Asylum and Medical Accounts,

On the account of Dr. W. C. Freeman, for a *post mortem* examination.

Mr. McCAW submitted the report of the Committee on the New State House,

On the report of the Architect, Superintendent, and Commissioner ; which were ordered for consideration to-morrow, and the last was ordered to be printed.

The House of Representatives sent to the Senate

The report of the Committee on Privileges and Elections, on sundry petitions from citizens of several Districts, praying for changes in certain election precincts ; which was referred to the Committee on Privileges and Elections.

The PRESIDENT laid before the Senate the report of the Solicitor of the Western Circuit ; which was referred to the Committee on the Judiciary.

Mr. LAWTON presented the petition of W. A. Willingham, to be refunded a double War Tax; which was referred to the Committee on Finance and Banks.

Mr. MOSES presented the petition of Edgar N. Plowden, praying compensation for a slave who died in the service of the State; which was referred to the Committee on Claims and Grievances; also,

The petition of E. R. Plowden, for compensation for a slave lost in the service of the State; which was referred to the same Committee.

The Senate, on motion of Mr. E. G. PALMER, reconsidered the vote taken yesterday on concurring in a resolution, from the House of Representatives, for a distribution of salt.

On motion of Mr. E. G. PALMER, a message was sent to the House of Representatives, asking leave to strike out the word "ocean" from the resolution. So that, if amended, the resolution would include for distribution all the salt in the hands of the State authorities.

The Senate proceeded to the

#### GENERAL ORDERS OF THE DAY.

Mr. HARRISON moved to take up, out of its order,

A resolution, from the House of Representatives, for suspending the business of the General Assembly from the 18th December, at 12, M., until the 20th of January, 1863, at 7, P. M.

On the question of agreeing to the resolution, the yeas and nays were ordered to be taken, and they are as follows:

Those who voted in the affirmative, are:

Hon. W. D. PORTER, President; Messrs. Appleby, Arthur, Barker, Ellis, Fickling, Garlington, W. R. Johnson, Lawton, Mazyck, Oswald, S. W. Palmer, Sessions, Simpson, Thomson, Wortham.

Those who voted in the negative, are:

Messrs. Beaty, Blakeney, Boykin, Harrison, Hart, Hope, Houser, W. D. Johnson, Keitt, Lesesne, Manning, Maxwell, McAliley, McCaw, J. W. Miller, Moses, Murray, Simkins, Ware.

In the affirmative, 16;

In the negative, 19.

The resolution was not concurred in, and it was, consequently, rejected.

The unfavorable report of the Committee on the Lunatic Asylum and Medical Accounts,

On the account of Drs. Powell and Templeton, for a *post mortem* examination, was agreed to, and the House report was rejected.

The unfavorable report of the same Committee,

On the account of Dr. R. W. Bates, for a *post mortem* examination, was agreed to.

Resolutions, from the House of Representatives, in relation to the currency being before the Senate, for consideration,

Mr. MAZYCK moved to strike out from the first resolution the following words: "there being in actual circulation two hundred and fifty millions of dollars in Treasury notes, when one hundred million would afford an ample supply for the business of the country."

The motion prevailed, and the message was ordered to be sent to the House of Representatives; but before it was sent, Mr. MOSES moved that all the resolutions do lie on the table, and the same was ordered.

The report of the Committee on the Judiciary,

On a Bill to continue in force an Act entitled "An Act to extend relief to debtors, and to prevent the sacrifice of property at public sales," was, on motion of Mr. ARTHUR, made the Special Order of the Day for Monday, at 1, P. M.

A Bill to incorporate, with uniform rights, powers and privileges, Protestant Episcopal Congregations in South Carolina, received the second reading, was agreed to, and was sent to the House of Representatives.

#### SPECIAL ORDER FOR 1, P. M.

At this hour the Senate proceeded to the Special Order, viz: The report of the Special Committee on the recommitted report of that Committee,

On a Bill to alter and amend an Act to afford aid to the families of soldiers, passed in the year of our Lord one thousand eight hundred and sixty-one, and the amendment thereto, and amendment to the amendment.

In pursuance of the recommendation of the Committee, all in the original Bill after the enacting clause was stricken out.

The amendment (offered by Mr. HARRISON) was then (also in pursuance to the recommendation of the Committee) ordered to lie on the table, and the question recurred on the amendment to the amendment (offered by Mr. McALILEY).

This amendment being before the Senate, Mr. HARRISON moved to strike out all after the enacting clause, and insert, as an amendment, a Bill which he offered.

Mr. MAZYCK moved that this amendment do lie on the table, which was ordered.

On the question of agreeing to the Bill, the yeas and nays were ordered, and they are as follows:

Those who voted in the affirmative, are:

Hon. W. D. PORTER, President; Messrs. Appleby, Arthur, Barker, Beaty, Blakeney, Ellis, Harrison, Hart, Hope, Houser, W. D. Johnson, W.

R. Johnson, Keitt, Lawton, Lesesne, Manning, Maxwell, Mazyck, McAliley, McCaw, Miller, Moses, Murray, Oswald, E. G. Palmer, S. W. Palmer, Sessions, Simkins, Simpson, Thomson, Ware, Wortham.

Those who voted in the negative are :

Messrs. Boykin, Fickling.

In the affirmative, 33 ;

In the negative, 2.

The Bill was, therefore, agreed to, and was sent to the House of Representatives.

Message No. 11, from his Excellency the Governor, covering a communication from the Governor of Alabama, with resolutions from the Legislature of that State, in relation to guaranteeing the bonds of the Confederate States, was communicated to the Senate, and was referred to the Committee on Finance and Banks, and was ordered to be printed.

A Bill to organize a supply of negro labor for coast defence, in compliance with requisitions of the Confederate Government, was, on motion of Mr. THOMSON, made the Special Order of the Day for 1, P. M.

The Senate granted leave to Mr. KEITT to withdraw from its files the account of Dr. R. W. Bates, for a *post mortem* examination.

Mr. WILSON offered the following resolution :

*Resolved*, That a Committee of three members of the Senate be appointed to take into consideration the subject of a recess by the General Assembly, and that a message be sent to the House, proposing the appointment of a similar Committee, to confer with the Committee proposed to be raised by the Senate.

The resolution was agreed to.

Messrs. Wilson, Mazyck and McAliley were appointed the Committee, on the part of the Senate, and a message was sent to the House of Representatives accordingly.

The House of Representatives sent to the Senate the following message :

HOUSE OF REPRESENTATIVES, December 12, 1862.

*Mr. President, and Gentlemen of the Senate :*

The House of Representatives respectfully grants leave to amend the resolution in regard to the distribution of salt, by striking out the word "ocean," so as to read, "all the salt on hand," &c., &c.

By order of the House,

A. P. ALDRICH, *Speaker*.



The resolution was then amended, pursuant to leave granted, and was concurred in, and returned.

The House of Representatives also sent to the Senate

A Bill to authorize and empower the First Corps of Reserves to elect their field officers; which received the first reading, and was referred to the Committee on the Military and Pensions.

Mr. LESESNE presented the account of the Clerk of the Senate, for stationery and other expenses for the Senate; which was referred to the Committee on Claims and Grievances.

A Bill, from the House of Representatives, to authorize the State to guarantee the bonds of the Confederate States, received the second reading; the title was changed so as to read, a Bill to provide for a guarantee by the State of the bonds of the Confederate States; the Bill was agreed to, and it was returned to the House of Representatives.

On motion of Mr. SESSIONS, the Senate adjourned at 4, P. M.

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### SATURDAY, DECEMBER 13, 1862.

The Senate met at 12, M. Prayer by the Rev. Mr. Walker.

The Clerk read the Journal of the proceedings of yesterday.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, December 13, 1862.

*Mr. President, and Gentlemen of the Senate:*

The House respectfully concurs with the Senate, to appoint a Committee of conference in the matter of a recess of the General Assembly. The Committee on the part of the House being Messrs. Wilmot G. DeSaussure, J. D. Aiken, and J. McCullough.

By order of the House,

A. P. ALDRICH, *Speaker*.

Mr. E. G. PALMER submitted the return of the Commissioners of Free Schools for Fairfield, for the year 1862; which was referred to the Committee on the College, Education and Religion.

Mr. E. G. PALMER also submitted the report of the Committee on Finance and Banks,

On the memorial of the Mayor and Aldermen of the City of Columbia, asking an appropriation for the relief of the transient poor; which was ordered for consideration on Monday next.

Mr. WILSON submitted the following report :

The Committee of Conference, to whom was referred the matter of a recess, report :

That they have considered the matter, and recommend the adoption of the appended resolution.

Respectfully submitted,

BENJ. H. WILSON,

*Chairman of the Senate Committee.*

WILMOT G. DESAUSSURE,

*Chairman of the House Committee.*

*Resolved*, That the General Assembly will take a recess from Thursday, 18th inst., at 12, M., until Tuesday, 20th January, at 7, P. M.

A similar report was received from the House of Representatives, for concurrence.

On the question of agreeing to the resolution, the yeas and nays were ordered to be taken, and they are as follows :

Those who voted in the affirmative are :

Hon. W. D. PORTER, President; Messrs. Appleby, Barker, Beaty, Blake-ney, Boykin, Boyle, Fickling, Hart, W. R. Johnson, Lawton, Lesesne, Mazyck, S. W. Palmer, Roberds, Sessions, Wilson, Wortham.

Those who voted in the negative, are :

Messrs. Hope, Houser, W. D. Johnson, Maxwell, McAliley, McCaw, Miller, Moses, Murray, E. G. Palmer, Ware.

In the affirmative, 18;

In the negative, 11.

The report was, therefore, agreed to.

The resolution was, therefore, agreed to, and the House report and resolution were then concurred in, and returned to the House of Representatives.

A message was received from the House of Representatives, as follows, and was referred to the Committee on Claims and Grievances :

HOUSE OF REPRESENTATIVES, December 13, 1862.

*Mr. President, and Gentlemen of the Senate :*

The House respectfully requests leave of the Senate to amend the report of the Committee on Claims and Grievances, of the Senate, on the petition of J. B. O'Neill, praying the payment of a quarter's salary due to Thomas

J. Gantt, deceased, the late Clerk of the Court of Appeals, by striking out the words, "one hundred and fifty dollars," and to insert the words, "one hundred and sixteen dollars and sixty-six cents."

By order of the House,

A. P. ALDRICH, *Speaker*.

Mr. MOSES offered the following resolution, which was agreed to, and was sent to the House of Representatives for concurrence :

*Resolved*, As the sense of the Legislature, in view of the intended recess, that the Committees to whom the Contingent Accounts of the State are referred, be requested so to report, if possible, that a Bill making the necessary appropriation therefor may be passed before the recess.

Message No. 12, from his Excellency the Governor, was communicated to the Senate, as follows, and was referred to the Committee on the Military and Pensions :

## MESSAGE NO 12.

### STATE OF SOUTH CAROLINA.

EXECUTIVE DEPARTMENT,

Columbia, December 13, 1862.

*Gentlemen of the Senate and House of Representatives :*

The Convention passed the following resolution :

*" Resolved, unanimously, That this Convention begs most sincerely to mingle its sympathies with the relatives and friends of those who have fallen in the service of their country, whether in battle, amidst the clangor of arms, from wounds received in battle, from disease, or from accident ; and that the Executive authority of this State be requested to collect the names of all such, and have them transcribed in a suitable record book, designating the corps to which they belonged, their rank in the service, and the cause of death, to be preserved amongst the archives of the State, as a token of respect to their memories, and a legacy of inestimable value to their friends."*

Under this, Wm. B. Johnston, Esq., was appointed, and I now recommend that some adequate sum be appropriated to enable him to discharge the duty. It is a high and sacred duty to have the names of our brave and heroic dead properly recorded. I suppose, perhaps, twelve hundred dollars per year will be all that is necessary.

F. W. PICKENS.

The Senate proceeded to the

### GENERAL ORDERS OF THE DAY.

The report of the Committee on the Lunatic Asylum and Medical Accounts,

On the report of the Regents of the Lunatic Asylum, was, on motion of Mr. MOSES, ordered to be placed in the General Orders of the Day for Monday next.

The unfavorable report of the Committee on Finance and Banks,

On a Bill to punish persons or corporations for sale or purchase of bills of the local banks of any State in the Confederacy at a premium, was, on motion of Mr. MOSES, ordered to lie on the table; and the Bill was taken up for the second reading.

Mr. MAZYCK moved that the Bill do lie on the table; which was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are:

Hon. W. D. PORTER, President; Messrs. Barker, Boykin, Fickling, Lesesne, Mazyck, McAliley, E. G. Palmer, S. W. Palmer, Roberds, Wortham.

Those who voted in the negative, are:

Messrs. Appleby, Beaty, Blakeney, Boyle, Hart, Hope, Houser, W. D. Johnson, W. R. Johnson, Lawton, Maxwell, McCaw, Miller, Moses, Murray, Sessions, Ware.

In the affirmative, 11;

In the negative, 17.

The motion, therefore, did not prevail, and the Bill received the second reading, was agreed to, and sent to the House of Representatives.

A Bill to suppress the undue distillation of spirituous liquors from the cereal grains of this State, received the third reading, was passed, its title changed to "An Act," and sent to the House of Representatives.

The unfavorable report of the Committee on the Lunatic Asylum and Medical Accounts,

On the report of the Medical Committee, of the House of Representatives, on the account of Dr. Joseph F. Harrell, for a *post mortem* examination, was agreed to, and the House report was rejected.

The unfavorable report of the Committee on the Lunatic Asylum and Medical Accounts,

On the account of Dr. W. C. Freeman, for a *post mortem* examination, was agreed to.

The report of the Committee on Commerce, Manufactures and the Mechanic Arts, recommending \$7,000 for the Marine School at Charleston; and

The report of the Committee on the New State House,

On the report of the Architect, Superintendent and Commissioner of the New State House, were agreed to, and were sent to the House of Representatives for concurrence.

On motion of Mr. MOSES, the Special Order for 1, P. M., a Bill to organize and supply negro labor for coast defence in South Carolina, in compliance with the requisitions of the Confederate Government, was discharged, and the Bill was made the Special Order of the Day for Monday next, at half-past 1, P. M.

On motion of Mr. MURRAY, the Senate adjourned at 2, P. M.

### MONDAY, DECEMBER 15, 1862.

The Senate met at 12, M. Prayer by the Rev. Dr. Leland.

The Clerk read the Journal of the proceedings of Saturday.

### ADDITIONAL SENATOR.

Hon. P. T. Hammond, Senator elect from Lancaster, appeared at the Clerk's desk, and presented his credentials. The oath was administered, and he took his seat.

Message No. 13 of his Excellency the Governor, was communicated to the Senate, and read by Mr. F. J. Moses, Jr.

Mr. SIMKINS offered the following resolution :

*Resolved*, That the Message be referred to a Special Committee, with instructions to examine and report upon the same, and that it be printed, with the accompanying statement by Mr. James Tupper.

The House of Representatives sent to the Senate the following message :

### HOUSE OF REPRESENTATIVES, December 15, 1862.

*Mr. President, and Gentlemen of the Senate :*

The House having appointed a Committee, consisting of Messrs. R. S. Duryea, J. J. Williams, and W. G. DeSaussure, to examine the accounts of



his Excellency, in conformity with his request, respectfully request that the Senate do appoint a similar Committee, to act with the House Committee in that matter.

By order of the House,

A. P. ALDRICH, *Speaker*.

The Senate concurred, and Messrs. Simkins, Moses, and Sessions, were appointed the Committee, on the part of the Senate, and a message was returned accordingly.

The House of Representatives also sent to the Senate the following message, which was concurred in, and a message returned accordingly:

HOUSE OF REPRESENTATIVES, December 15, 1862.

*Mr. President, and Gentlemen of the Senate:*

The House respectfully proposes to the Senate to go into a ballot for Governor and Commander-in-Chief, to-morrow, at 2 o'clock, P. M.

By order of the House,

A. P. ALDRICH, *Speaker*.

Also, the following:

HOUSE OF REPRESENTATIVES, December 15, 1862.

*Mr. President, and Gentlemen of the Senate:*

The House respectfully requests that the Senate do unite with the House in a ballot for Law Judge, in place of Hon. T. J. Withers, to-morrow, at 1 o'clock, P. M.

By order of the House,

A. P. ALDRICH, *Speaker*.

Mr. MAZYCK moved that the message do lie on the table; which question was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are:

Messrs. Appleby, Barker, Beaty, Blakeney, Bull, Garlington, Hammond, Harrison, Hope, Houser, W. D. Johnson, W. R. Johnson, Keitt, Lawton, Maxwell, Mazyck, McAliley, McCaw, Miller, Oswald, E. G. Palmer, Roberts, Simkins, Simpson, Thomson, and Ware.

Those who voted in the negative, are:

Hon. W. D. PORTER, President; Messrs. Arthur, Boykin, Bonneau, Boyle, Fickling, Lesesne, Manning, Murray, S. W. Palmer, Sessions, Wilson, and Wortham.

In the affirmative, 26;

In the negative, 13.

The message was, therefore, ordered to lie on the table.

The House of Representatives also sent the following, which was ordered to lie on the table :

HOUSE OF REPRESENTATIVES, December 15, 1862.

*Mr. President, and Gentlemen of the Senate :*

The House respectfully proposes to the Senate to go into an election for Chancellor, to-morrow, at half-past 2, P. M.

By order of the House,

A. P. ALDRICH, *Speaker*.

The PRESIDENT laid before the Senate the following communication :

CAMDEN, 13th December, 1862.

Hon. J. M. DESAUSSURE,

*House of Representatives :*

DEAR SIR : I thank you for the kindness manifested in your letter, received last night.

My best acknowledgments are due, and they are cordially tendered, to the General Assembly, for the distinguishing compliment implied by the vote you have been good enough to report to me, by which I am invited to join the Court of Appeals.

I am constrained to aver, and there is no affectation in this, that the General Assembly has more confidence in me than I have in myself, for I seriously question my sufficiency to hear and determine causes on appeal in both Law and Equity in the Court of last resort. Inclination, perhaps, from the habit of sixteen years, leads me to prefer Circuit duty, on the Law Bench. Yet I feel deeply, that in the circumstances which now surround us all, it is the imperative duty of each to render whatever service he can to the general cause of the country; and I suppose his place can be most fitly assigned by the constituted authorities of the State. In this light, the recent ballot by the General Assembly assumes almost the force of a command; and yielding my inclination and distrust, as I have frankly avowed them, to the deliberate judgment expressed by that body, I accept the seat tendered upon the Bench of the Appeal Court.

I beg you to take suitable measures to make this determination known to the two Houses of the Legislature.

Accept, I pray you, friendly salutations from

Yours, respectfully,

T. J. WITHERS.

The House of Representatives sent to the Senate the following resolution; which was concurred in, and ordered to be returned:

*Resolved*, That the President of the Bank of the State of South Carolina be instructed to advance the *per diem* and mileage of the members of both branches of the Legislature, and the salaries of the several officers thereof, to the time of recess.

The House of Representatives sent to the Senate

A Bill to prevent the sacrifice of property at public sales in certain cases; which received the first reading, and was referred to the Committee on the Judiciary.

Also, the following message; which was concurred in, and a message returned accordingly:

HOUSE OF REPRESENTATIVES, December 15, 1862.

*Mr. President, and Gentlemen of the Senate :*

The House respectfully proposes to the Senate to go into an election for President and four Directors of the Bank of the State of South Carolina, on Wednesday next, at 1, P. M.

By order of the House,

A. P. ALDRICH, *Speaker*.

Leave was granted by the Senate to Mr. OSWALD to withdraw from the files of the Senate the account of Perry F. Buckner, praying to be relieved from the costs of a tax execution.

Mr. OSWALD presented the petition of Jesse Jones, praying payment of a claim against the State; which was referred to the Committee on Claims and Grievances.

The House of Representatives returned to the Senate

An Act to suppress the undue distillation of spirituous liquors from the cereal grains of this State; which was referred to the Committee on Incorporations and Engrossed Acts.

Mr. MAZYCK presented the report of the Committee on Finance and Banks,

On a resolution for appointing an agent to settle claims against the Confederate Government; which was ordered for consideration to-morrow.

Mr. McALILEY presented the report of the same Committee;

On the petition of W. A. Willingham, praying to be refunded a double War Tax;

On the petition of holders of lots on Sullivan's Island, praying exemption from taxation during the war; which were ordered for consideration to-morrow.

The House of Representatives sent to the Senate

A Bill to provide for a guaranty by the State of the Bonds of the Confederate States; which received the third reading, and it was

*Resolved*, That the Bill do pass; That the title thereof be changed; that it be called an Act.

*Ordered*, That it be returned to the House of Representatives.

Mr. LAWTON offered the following preamble and resolutions; which were considered, and agreed to, and sent to the House of Representatives for concurrence;

South Carolina having been the first State to assert practically the right of State sovereignty, and having dared to maintain her assertion by wresting from the Federal arm, at the cannon's mouth, her arsenal, magazine and forts, it was no idle speculation that took possession of the minds of her people, that within her boundaries the great blow to Republican liberty would be struck; that her soil would be crimsoned with the blood of her best sons, and her territory overrun by a ruthless and infidel foe. The experiment was made on the seventh of November, 1861, and whilst it resulted in the reduction of some of her richest and most fertile islands, so that millions of dollars' worth of her property has been stolen or destroyed, and many of her fair daughters have been driven from their homes in exile and poverty, still no greater encroachments have been effected on her inland territory, although repeated efforts have been made to throw forward heavy columns to invade and pollute her soil, and thus reduce her metropolis; but the God of battles has been on her side, He has raised up and placed at the head of her victorious armies two warriors, around whom in the day of battle He threw His ægis of protection. The names of Walker and Lamar will live upon the brightest page of Carolina's history. The one for preventing the State being overrun by a lawless and godless enemy, and the other for delivering Charleston from the thralldom of abolition rule. Therefore,

*Resolved*, That the thanks of the State of South Carolina are eminently due to Brig. Gen. W. S. Walker and the lamented Col. Thomas G. Lamar, for their heroic valor, gallant bearing, indomitable courage, and unexampled skill, in conducting the battles at Pocotaligo and Secessionville.

*Resolved*, That the presence of Brig. Gen. Walker on our sea-coast inspires our people with hope and confidence, and the State freely accords to him the credit and honor of twice repelling the enemy, and thus securing from destruction a railroad almost indispensable to our future success.

*Resolved*, That in the death of Col. Thomas G. Lamar, the State of South Carolina has lost a gallant officer, an enterprising citizen, and a devoted patriot.

*Resolved*, That in token of our appreciation of his distinguished military services, and his untiring devotion to the interests of the State in the darkest



hour of her peril, the Governor be requested to select one of his sons for education, under the recent resolutions of this General Assembly.

*Resolved*, That the Governor be requested to transmit a copy of these resolutions to Brig. General W. S. Walker, and to the bereaved family of the late Col. Thomas G. Lamar.

Mr. ARTHUR presented the report of the Committee on Claims and Grievances,

On the account of the Clerk of the Senate, for stationery; which was ordered for immediate consideration, was agreed to, and ordered to be sent to the House of Representatives for concurrence.

Mr. WILSON, for Mr. E. H. MILLER, presented the return of the Commissioners of Free Schools for Williamsburg District, for 1862; which was referred to the Committee on the College, Education and Religion.

The Senate proceeded to the

#### SPECIAL ORDER FOR 1, P. M.

The report of the Committee on the Judiciary,

On a Bill to continue in force an Act entitled "An Act to extend relief to debtors, and to prevent the sacrifice of property at public sales."

On motion of Mr. ARTHUR, the Special Order was discharged, and the report was placed in the General Orders of the Day for to-morrow.

The Senate granted leave to Mr. ARTHUR to withdraw from its files the accounts of Drs. Powell and Templeton.

The Senate also granted leave of absence to Mr. APPLEBY, after this day, in consequence of urgent military duty.

Mr. MOSES submitted the report of the Committee on the Judiciary,

On a resolution in relation to compensation for slaves lost in service; which was ordered for consideration to-morrow.

The Senate proceeded to the

#### GENERAL ORDERS OF THE DAY.

The report of the Committee on Finance and Banks,

On the memorial of the City Council of Columbia, asking an appropriation for the relief of the transient poor; and

The report of the same Committee, on the report of the Regents of the Lunatic Asylum, were agreed to, and were ordered to be sent to the House of Representatives for concurrence.

The General Orders were disposed of.

The Senate proceeded to the



JOURNAL OF THE SENATE,  
SPECIAL ORDER FOR 2, P. M.

A Bill to organize and supply negro labor for coast defence, in compliance with the requisitions of the Government of the Confederate States.

Mr. HARRISON moved the following amendment :

Strike out all after "to wit," in the second line of section 2, and insert the following: "First, by division number four; second, by division number two; third, by division number three; and fourth, by division number one."

On the question of agreeing to this amendment, it passed in the negative.

Mr. HARRISON also moved the following amendment :

Strike out, in section third, after the word "thereof," in the sixth printed line, to the eighth printed line, and insert: "In proportion to the entire population, free and slave, as shown by the last census return of this State, giving credit to each District for the number of soldiers sent to the army, and requiring each to furnish slaves under the provisions of this Act, until an equal proportion of its entire population is in the public service: *Provided*, That owners of slaves resident in Districts remote from the seaboard may commute for the service of such slaves by paying into the public Treasury twenty-five dollars per month for each slave they may be required to furnish.

Mr. THOMSON moved that the amendment do lie on the table; which motion prevailed.

Mr. HARRISON moved that the Bill do lie on the table; which question was ordered to be decided by yeas and nays, and they are as follows :

Those who voted in the affirmative, are :

Messrs. Arthur, Blakeney, Boykin, Harrison, Hart, W. R. Johnson, Maxwell, McAliley, Moscs, and Sessions.

Those who voted in the negative, are :

Hon. W. D. PORTER, President; Messrs. Barker, Beaty, Bonneau, Bull, Ellis, Fickling, Garlington, Hammond, Hope, Houser, W. D. Johnson, Keitt, Lawton, Lesesne, Mazyek, McCaw, J. W. Miller, Murray, Oswald, E. G. Palmer, S. W. Palmer, Roberds, Simkins, Simpson, Thomson, Ware, Wilson, and Wortham.

In the affirmative, 10;

In the negative, 29.

The motion was, therefore, lost. The Bill received the second reading, was agreed to, and was sent to the House of Representatives.

Mr. WARE submitted the report of the Committee on Accounts and Vacant Offices,

On the Comptroller General's report on contingent accounts against the Lower Division of the Treasury.

The report was ordered to lie on the table, for the inspection of Senators. The following message was received from the House of Representatives, and was concurred in :

HOUSE OF REPRESENTATIVES, December 15, 1862.

*Mr. President, and Gentlemen of the Senate :*

The House respectfully proposes to the Senate to go into an election for Lieutenant Governor to-morrow, immediately after the ballot for Governor.

By order of the House,

A. P. ALDRICH, *Speaker,*

On motion of Mr. THOMSON, it was ordered that when the Senate adjourns, it shall stand adjourned to meet to-morrow at 11 o'clock, A. M.

On motion of Mr. ARTHUR, the Senate adjourned at 15 minutes past 3 o'clock, P. M.

TUESDAY, DECEMBER 16, 1862.

The Senate met at 11, A. M., pursuant to adjournment. Prayer by the Rev. Mr. Wannamaker.

The Clerk read the Journal of the proceedings of yesterday.

#### PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to Senate the following:

Report of the Committee of Ways and Means, on Message No. 12 of his Excellency the Governor, covering a copy of the resolutions of the Legislature of Alabama, relative to a guarantee of the bonds of the Confederate Government; which was referred to the Committee on Finance and Banks.

The report of the Committee on Accounts, on the report of the Comptroller General on the contingent accounts of the Upper Division; which was referred to the Committee on Accounts and Vacant Offices;

A Bill to enable the Charleston Savings' Institution to purchase and hold real property;

A Bill to incorporate the Importing and Exporting Company of South Carolina;

A Bill to incorporate the Carolina Cotton and Woolen Factory ;

A Bill to charter the Shelby and Broad-River Railroad Company ;

A Bill to renew and amend the charter of the Swedish Iron Manufacturing Company of South Carolina, and to change the name thereof; which received the third reading, and it was

*Resolved*, That the Bills do pass ; that the titles be changed ; that they be called Acts.

*Ordered*, That they be sent to the House of Representatives.

The House of Representatives returned to the Senate,

The report and resolutions of the Committee on the New State House, on the report of the Architect, Superintendent and Commissioner of the New State House, in which it had concurred.

Mr. THOMSON presented the petition of Samuel Jordan, praying compensation for a slave that died in the service of the State ;

Mr. SIMPSON presented the petition of C. A. Saxon, praying compensation for a slave who died in the public service ;

Mr. ARTHUR presented the contingent accounts of the State House Keeper ; which were referred to the Committee on Claims and Grievances.

Mr. LESESNE offered a resolution authorizing the Treasurer of the Lower Division to remove his books to Columbia ; which was agreed to, and sent to the House of Representatives for concurrence.

### REPORTS OF COMMITTEES.

Mr. GARLINGTON submitted the following reports of the Committee on the Military and Pensions :

On sundry memorials and petitions in relation to the organization of the 1st Corps of Reserves ; also,

On a resolution, from the House of Representatives, on the same subject, and on a Bill, from the House of Representatives, to authorize and empower the 1st Corps of Reserves to elect their field officers ;

On the petition of citizens of Marlboro', praying relief against arbitrary arrests for military service ;

On the petition of Asa George, praying aid of the State in the construction of a new revolving cannon ;

On the petition of Joseph Melton, praying aid from the State, and on a resolution, from the House of Representatives, on the same subject ;

On a resolution, from the House of Representatives, in relation to the defence of the City of Charleston by Gen. Beauregard.

The same Committee, through Mr. GARLINGTON, also reported

A Bill to vacate the commissions of militia officers. These reports were all ordered for consideration to-morrow. The Bill received the first reading, and was ordered for a second reading to-morrow.

Mr. ARTHUR submitted the report of the same Committee, on the Governor's Message relative to Creuzbaur's iron plated vessels of war.

Mr. ARTHUR submitted the following reports of the Committee on Claims and Grievances:

On the message of the House of Representatives relative to the amendment of the report of the Committee on Claims and Grievances, in relation to the salary of Thomas J. Gantt, late Clerk of the Appeal Court;

On the petition of Edgar N. Plowden, for compensation for a slave who died in the public service;

On the petition of E. Ruthven Plowden, for compensation for a slave lost in the service of the State;

On the petition of Samuel Watson, Sheriff of Sumter District, for articles furnished the jail.

Mr. THOMSON submitted the report of the Committee on the Military and Pensions,

On a resolution authorizing the Governor to appoint an Assistant Adjutant General.

Mr. SIMKINS submitted the report of the Joint Special Committee on Message No. 13 of his Excellency the Governor.

Mr. McCRAW submitted the report of the Committee on the New State House, on Message No. 10 of his Excellency the Governor, relative to the removal to, and guarding of, records in the New State House; all of which were ordered for consideration to-morrow.

The Senate proceeded to the

#### GENERAL ORDERS OF THE DAY.

The report of the Committee on Finance and Banks,

On resolutions for appointing an Agent to settle claims against the Confederate Government (Committee recommend a substitute), and

The favorable report of the same Committee on the petition of W. A. Willingham, praying to be refunded a double War Tax; also,

The report of the same Committee, on the petition of holders of lots on Sullivan's Island, praying exemption from taxation during the war, were agreed to, and were sent to the House of Representatives for concurrence.

The report of the same Committee, on resolutions in relation to compensation for slaves lost in service (Committee ask to be discharged from further consideration of the resolutions), was agreed to.

The favorable report of the Committee on the Judiciary,



On a Bill to continue in force an Act entitled "An Act to extend relief to debtors, and to prevent the sacrifice of property at public sales," was, on motion of Mr. MOSES, ordered to be placed in the General Orders of the Day for the second day of the session after the recess.

The General Orders were disposed of.

On motion of Mr. WARE, the Senate took from the table the report of the Committee on Accounts and Vacant Offices,

On the Comptroller General's report against the Lower Division of the Treasury. The report was agreed to, and sent to the House of Representatives for concurrence.

Mr. HARRISON offered the following resolution, which was ordered to lie on the table :

*Resolved*, That his Excellency the Governor be authorized and requested to have made an Index and Digest of the Journal of the Executive Council, and that he employ a competent person for such purpose.

At 25 minutes to 1, P. M., the Senate, on motion of Mr. MAZYCK, suspended business until 15 minutes to 2; P. M.

#### RECESS.

At the hour to which business had been suspended, the PRESIDENT resumed the Chair, and the Senate proceeded with business.

Mr. RHETT submitted the report of the Committee on the College, Education and Religion,

On the Governor's Message (No. 1), and accompanying documents, in reference to the South Carolina College, which was made the Special Order of the Day for to-morrow, at a quarter-past 1, P. M., and to be printed.

At 2, P. M., the Senate, pursuant to orders previously made, joined the House of Representatives in balloting for Governor.

Messrs. Maxwell and Mazyck were appointed the Committee, on the part of the Senate, to count the ballots.

Mr. GARLINGTON offered the following resolution, which was ordered to lie on the table :

*Resolved*, That the Journal of the Governor and Executive Council be placed under the charge of the Governor during the recess of the General Assembly, and that officers of the State be allowed access to the same for information concerning their respective Departments.

Mr. RHETT submitted the report of the Committee on the College, Education and Religion,



On the report of the Commissioners of the Deaf, Dumb and Blind; which was ordered for consideration to-morrow.

Mr. SIMKINS presented the petition of sundry citizens of Edgefield, praying to be permitted to have limited quantities of corn distilled for medicinal purposes in their own neighborhood; which was referred to the Committee on Agriculture and Internal Improvements.

The Senate then joined the House of Representatives in a ballot for a Lieutenant Governor.

Messrs. McAliley and McCaw were appointed the Committee, on the part of the Senate, to count the ballots.

Mr. MAZYCK, from the Committee to count the ballots for Governor, reported that neither of the gentlemen voted for had received a majority of the ballots cast.

On motion of Mr. McKEWN, a message was sent to the House of Representatives, proposing to go forthwith into another ballot, and the House of Representatives having concurred, the Senate joined the House in the ballot.

Messrs. McKewn and J. W. Miller were appointed the Committee, on the part of the Senate, to count the ballots.

Mr. LESESNE gave notice that, to-morrow, he will ask leave to introduce

A Bill to authorize the Banks of this State to purchase Confederate and State securities.

Mr. McALILEY, from the Committee to count the ballots for Lieutenant Governor, reported that Plowden C. J. Weston had received a majority of the ballots cast, and he was declared by the PRESIDENT duly elected accordingly.

Mr. HAMMOND offered the following preamble and resolutions; which were considered, and unanimously agreed to:

WHEREAS the ravages of war have been felt in our midst, sweeping away the gallant, the virtuous, and the good; and whereas in this mighty struggle for liberty and independence it hath pleased the All-Wise Ruler of the destinies of men to permit the brave and gallant Col. Dixon Barnes (late member of the Senate from Lancaster District), to be stricken down at the head of his regiment, on the bloody field of Sharpsburg:

*Resolved, 1st.* That with feelings of profound sorrow the Senate has received the announcement of the death of the Hon. Dixon Barnes, late member from Lancaster District.

*Resolved, 2d.* That in the death of the Hon. Dixon Barnes, the Confederate States has lost an able and gallant officer, and this Senate a valuable member.

*Resolved, 3d.* That in memory of the deceased, the Senate wear the usual badge of mourning.

*Resolved, 4th.* That a copy of this preamble and of these resolutions be sent to the family of the deceased.

Mr. MOSES moved that, as a further mark of respect to the deceased Senator, the Senate do now adjourn. The motion was carried, and the Senate adjourned at 20 minutes past 3, P. M.

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WEDNESDAY, DECEMBER 17, 1862.

The Senate met at 12, M. Prayer by the Rev. Mr. Martin.  
The Clerk read the Journal of the proceedings of yesterday.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives returned to the Senate,

An Act to incorporate the Carolina Cotton and Woolen Factory ;

An Act to charter the Shelby and Broad River Railroad Company ;

An Act to renew and amend the charter of the Swedish Iron Manufacturing Company of South Carolina, and to change the name thereof ;

An Act to incorporate the Importing and Exporting Company of South Carolina ;

An Act to enable the Charleston Savings' Institution to purchase and hold real property ; which were referred to the Committee on Incorporations and Engrossed Acts.

The House of Representatives returned to the Senate, with its concurrence,

The report of the Committee on Accounts and Vacant Offices, on the contingent accounts of the Lower Division.

The House of Representatives sent to the Senate,

A Bill to extend some of the provisions of an Act entitled An Act in reference to the suspension of specie payments by the banks of this State, and for other purposes, to the first day of January, in the year of our Lord one thousand eight hundred and sixty-four ; which received the first reading, and was referred to the Committee on Finance and Banks ;

The report of the Special Joint Committee on Message No. 14 of his Excellency the Governor, to examine the contingent accounts; which was concurred in, and ordered to be returned to the House of Representatives.

The House of Representatives sent to the Senate the following message:

HOUSE OF REPRESENTATIVES, December 17, 1862.

*Mr. President, and Gentlemen of the Senate:*

The House having appointed Messrs. J. Harleston Read, John M. DeSaussure and Randell Croft a Committee to communicate with the Lieutenant Governor elect, inform him of his election, and ascertain when it will suit him to qualify, respectfully request that the Senate do appoint a similar Committee, to act with the House Committee.

By order of the House,

A. P. ALDRICH, *Speaker*.

The Senate concurred, and Messrs. Mazyck, Wilson and Hammond were appointed the Committee, on the part of the Senate, and a message was sent to the House of Representatives accordingly.

Mr. McKEWN, from the Committee, on the part of the Senate, to count the ballots for Governor, reported that no one of the gentlemen voted for had received a majority of all the votes cast, and that there was, consequently, no election.

The House of Representatives sent to the Senate the following, which was concurred in, and a message returned accordingly:

HOUSE OF REPRESENTATIVES, December 17, 1862.

*Mr. President, and Gentlemen of the Senate:*

The House respectfully proposes to the Senate to go into an election for Governor and Commander-in-Chief this day, at quarter-past twelve o'clock.

By order of the House,

A. P. ALDRICH, *Speaker*.

Mr. MOSES offered the following resolution, which was agreed to, and ordered to be sent to the House of Representatives:

*Resolved*, That the Treasurers of the Upper and Lower Divisions of the State be authorized to pay, out of any money in the Treasury, such contingent accounts and claims as may be allowed by the Legislature at the time of its intended recess on the 18th instant, and such interest on the funded debt as may become due prior to the passage of the Acts to raise supplies and make appropriations for the fiscal year commencing October 1st, 1862.

Mr. HOPE presented the petition of A. G. Mayor, of Lexington District, praying to be refunded money twice paid on a hired slave, in the collection of the War Tax; which was referred to the Committee on Finance and Banks.

The House of Representatives returned to the Senate, with its concurrence, the complimentary resolutions in relation to Brig. Gen. Walker and Col. Thos. G. Lamar.

Mr. BONNEAU offered a resolution for suspending proceedings under a tax execution against the property of G. W. Roberts and G. Truesdell; which was agreed to, and ordered to be sent to the House of Representatives for concurrence.

The House of Representatives sent to the Senate,

A Bill to amend, suspend and repeal certain portions of the Militia Laws of this State; which received the first reading, was referred to the Committee on the Military and Pensions, and ordered to be printed.

Mr. MOSES, from the Committee, on the part of the Senate, to count the ballots for Governor, reported that Milledge L. Bonham had received a majority of all the ballots cast.

He was therefore declared by the PRESIDENT duly elected accordingly.

Mr. McKEWN moved that a Committee be appointed to wait on the Governor elect, and inform him of his election, and inquire when he will be pleased to qualify; and that a message be sent to the House of Representatives, requesting the appointment of a similar Committee, which was agreed to, and the House returned the following reply:

HOUSE OF REPRESENTATIVES, December 17, 1862.

*Mr. President, and Gentlemen of the Senate:*

The House respectfully concurs with the Senate, to appoint a Committee to communicate with the Governor elect, inform him of his election, and ascertain when he will qualify, and respectfully appoint, on the part of the House, Messrs. W. G. DeSaussure, Suber, and Talbert.

By order of the House,

A. P. ALDRICH, *Speaker.*

Mr. WARE submitted the report of the Committee on Accounts and Vacant Offices,

On the report of the Committee on Accounts, of the House of Representatives, on the Comptroller General's report on Contingent Accounts against the Upper Division of the Treasury, recommending concurrence.

The report was ordered for immediate consideration, and the House report was concurred in, and returned.



Mr. McALLEY submitted the report of the Committee on Finance and Banks,

On the report of the Committee of Ways and Means, of the House of Representatives, on Message No. 12 of his Excellency the Governor, covering a copy of the resolutions of the Legislature of Alabama, relative to a guaranty of the bonds of the Confederate Government, recommending concurrence.

The report was ordered for immediate consideration, and the House report was concurred in, and returned to the House.

The Senate proceeded to the

### SPECIAL ORDER OF THE DAY FOR 1, P. M.,

The report of the Committee on the College, Education and Religion, on Message No. 4 of his Excellency the Governor, relative to the South Carolina College; and the report was agreed to, and was sent to the House of Representatives for concurrence.

A Bill to authorize and empower the First Corps of Reserves to elect their field officers, being before the Senate, on the second reading, the following amendments were offered, and agreed to, viz :

By Mr. HOPE: In 1st section, 5th line, after the word "Reserves," add, "and of such other regiments now in service, whose field officers have been appointed by the Executive Council."

By Mr. THOMSON: Sec. 6. That the service of said First Corps of Reserves be not extended beyond their term of enlistment, to wit: for three months from their enlistment.

By Mr. HARRISON: That the resolution of the Executive Council, disbanding the 4th and 10th regiments of the 1st Corps of Reserves be, and the same is hereby, repealed.

Mr. MAZYCK moved that the Bill do lie on the table; which question was ordered to be decided by yeas and nays, and they are as follows :

Those who voted in the affirmative, are :

Hon. W. D. PORTER, President; Messrs. Barker, Bonneau, Bull Garlington, Manning, Mazyck, McKewn, Miller, Murray, Oswald, Rhett, Simkins, and Thomson.

Those who voted in the negative, are :

Messrs. Arthur, Beaty, Blakeney, Ellis, Hammond, Harrison, Hart, Hope, Houser, W. D. Johnson, W. R. Johnson, Keitt, Lawton, Lesesne, Maxwell, McAliley, McCaw, Miller, Moses, S. W. Palmer, Roberds, Sessions, Ware, and Wortham.

In the affirmative, 14;

In the negative, 24.



The motion was, therefore, lost.

The Bill received the second reading, was agreed to, and was sent to the House of Representatives.

The PRESIDENT laid before the Senate the following telegraphic communication :

RICHMOND, December 16, 1862.

*To His Excellency Governor Pickens :*

Brigadier General Maxcy Gregg died at five o'clock on the morning of the 15th inst., near the battle-field upon which he fell. His remains will reach Columbia on the morning of the 18th.

A. C. HASKELL,  
*Capt. & A. A. G.*

Mr. OSWALD offered the following resolutions, which were ordered for immediate consideration, were agreed to, and ordered to be sent to the House of Representatives :

*Resolved*, That this General Assembly has received with profound sorrow the intelligence of the death of the late General Maxcy Gregg, and mourn his loss as that of one of our purest and best citizens, and a soldier who has not been excelled in patriotism and valor.

*Resolved*, That a Committee of four Senators be appointed to make suitable arrangements for receiving the remains of Gen. Gregg, on their arrival in Columbia, and in co-operating with the other authorities in paying a suitable tribute of respect to his memory; and that a message be sent to the House of Representatives proposing the appointment of a similar Committee, to confer with the Committee of the Senate on this subject.

The resolutions were considered, and agreed to. Messrs. Oswald, Moses, Maxwell, and Arthur, were appointed the Committee, on the part of the Senate, and a message was sent accordingly.

The House of Representatives sent to the Senate,

Resolutions in relation to the death of Gen. Maxcy Gregg (recommending that the General Assembly do attend his funeral service); which were concurred in, and returned to the House.

On motion of Mr. WILSON, leave of absence was granted to Mr. Furman from and after to-morrow, on account of sickness in his family.

Mr. McKEWN, from the Committee to wait on the Governor elect, and inform him of his election, reported that the Committee had performed the duty assigned to them; that the Governor elect had signified his acceptance of the office, and had informed the Committee that he would be ready to qualify to-morrow, at 11 o'clock, A. M.

Mr. MAZYCK made a similar report from the Committee to wait on the Lieutenant Governor elect, informing the Senate that the Lieutenant Governor elect would qualify immediately after the Governor is qualified.

The Senate proceeded to the

### GENERAL ORDERS OF THE DAY.

The following were agreed to, and were sent to the House of Representatives for concurrence :

Report of the Committee on the Military and Pensions,

On the petition of Asa George, praying aid of the State in the construction of a new revolving cannon.

Reports of the Committee on Claims and Grievances,

On the petition of Edgar N. Plowden, praying compensation for a slave who died in public service ;

On the petition of E. Ruthven Plowden, for compensation for a slave lost in the service of the State ;

On the account of Samuel Watson, Sheriff of Sumter District, for articles furnished the jail.

Report of the Committee on the Military and Pensions,

On a resolution authorizing the Governor to appoint an Assistant Adjutant General.

Report of the Special Joint Committee,

On Message No. 13 of his Excellency the Governor, for examination of the Contingent Accounts of the Executive Department.

Report of the Committee on the Military and Pensions,

On Message of the Governor relative to Creuzbaur's iron plated vessels of war.

Report of the Committee on the College, Education and Religion,

On the report of the Commissioners of the Deaf, Dumb and Blind.

A Bill to vacate the commissions of militia officers was, on motion of Mr. MOSES, ordered to be placed in the General Orders of the Day, for the second day after the re-assembling of the Legislature.

Reports of the Committee on the Military and Pensions,

On the petition of Joseph Melton, praying aid from the State, and on a resolution of the House of Representatives in relation thereto ; and

Report of the same Committee,

On resolutions, from the House of Representatives, in relation to the defence of the City of Charleston by Gen. Beauregard, were concurred in, and returned to the House of Representatives.

Report of the Committee on the New State House,

On Message No 10 of his Excellency the Governor, was agreed to, and was sent to the House of Representatives for concurrence; the second and third resolutions, as originally printed, having first been ordered to lie on the table.

Report of the Committee on the Military and Pensions,

On sundry memorials and petitions in relation to the organization of the 1st Corps of Reserves; also, on a resolution, from the House of Representatives, on the same subject, and on a Bill, from the House of Representatives, to authorize and empower the First Corps of Reserves to elect their field officers; was ordered to lie on the table.

Report of the same Committee,

On the petition of sundry citizens of Marlboro', praying relief against arbitrary arrests for military service, was agreed to.

The House of Representatives returned to the Senate,

A Bill to organize and supply negro labor for coast defence, in compliance with requisitions of the Confederate Government.

The House of Representatives having amended the Bill, on the third reading, the amendments were referred to the Committee of the Whole Senate, to sit immediately.

The Hon. F. J. MOSES, Senator from Sumter, was called to the Chair, and after some time spent therein, the Committee rose, and the PRESIDENT resumed the Chair.

Mr. MOSES reported that the Committee of the Whole recommended to the Senate the adoption of all the amendments except that in the 12th Section, to which they recommended a disagreement.

The report was ordered for consideration at 8, P. M., this day.

Mr. McALILEY submitted the report of the Committee on Finance and Banks,

On a Bill, from the House of Representatives, to extend some of the provisions of an Act entitled "An Act in reference to the suspension of specie payments by the Banks of this State," and for other purposes, to the 1st of January, A. D., 1864.

The report was placed in the General Orders of this day.

The House of Representatives returned to the Senate resolutions in relation to General Maxey Gregg, in which it had concurred.

The House of Representatives also sent to the Senate the following message:

HOUSE OF REPRESENTATIVES, December 17, 1862.

*Mr. President, and Gentlemen of the Senate:*

The House respectfully concurs with the Senate in their resolutions respecting the reception of the remains of the late General Maxey Gregg,

and do appoint Messrs. Lide, Bryce, Perrin, and Graham, as the Committee, on the part of the House.

By order of the House,

A. P. ALDRICH, *Speaker*.

Mr. BONNEAU said :

Mr. PRESIDENT : It becomes my painful duty to announce to the Senate the death of my predecessor, the Hon. T. M. Wagner, of Christ Church Parish. He was a native of Charleston, and a graduate of the Charleston College. For a brief time he was engaged in mercantile affairs. He was the Secretary and Treasurer of the Blue Ridge enterprise. In early manhood he removed to Christ Church, and became an energetic and successful rice planter. He was not allowed long to remain in the quiet seclusion of private life. He was called to represent the Parish in the lower branch of the General Assembly. He served three terms in the House, and at the time of his death was in his second term of service in this body. His career as a legislator was one of great influence. Though not a debater, his great personal popularity, good judgment and tact, coupled with activity and great earnestness, contributed, on many occasions, to decide the issue. After the secession of South Carolina, in 1860, Col. Wagner, though not liable for duty in the field, promptly sought service, and was appointed Lieutenant in an artillery company. He was rapidly promoted. He escaped unharmed the perils of the desperate assault upon the Secessionville battery, on the 16th June, where, by his courage and presence of mind, he materially assisted in the defence of the works. He escaped the dangers of battle only to fall, on the 15th of July, by a sad fatality. His long and useful career in this body afforded to you all a knowledge of those high qualities of the heart which he so bountifully possessed.

Warm and ardent in his friendship, this feeling was as warmly and sincerely reciprocated by as numerous a body of friends as ever fell to the lot of one man. He was an open-hearted, steadfast friend. To those in the humbler walks of life who sought his assistance, he was ever ready to render relief. Kindness was his nature, generosity his habit.

In the death of Col. Wagner, at this time, the country has sustained a great loss. From the breaking out of this war, he gave himself, without reserve, to his country, and never left his post to visit his plantation, though but a few miles distant, since going into service.

Brave, high-toned and conscientious, he commanded the confidence of all. Mr. President, the death of one, even in the sere of life, possessing all these qualities of head and heart, is painful to his friends, but it becomes doubly so when he is cut off suddenly, in the prime of manhood and in the midst of his usefulness.



With these brief remarks, I ask leave, to submit the following resolutions :

*Resolved*, That the members of the Senate have received the announcement of the death of Col. Thomas M. Wagner with profound regret.

*Resolved*, That as a mark of respect, the members of the Senate wear the usual badge of mourning.

*Resolved*, That a copy of these resolutions be transmitted by the Clerk of the Senate to the family of the deceased.

Mr. MANNING said :

Mr. PRESIDENT: I cannot forbear the expression of a word of affection as a tribute to the memory of my friend, whose death has been noticed in such just and feeling terms by the Senator from Christ Church.

In peaceful and happier years, none who beheld the open and ingenuous face of Thomas M. Wagner would readily forget it. It was so genial, so frank and manly, that men were attracted to him by an irresistible impulse. Nor was there disappointment upon a more intimate association with him, for the expression of his countenance was the index of his mind.

He had a heart, sir, which was peculiarly susceptible to the sentiment of friendship. Whatever was worthy and manly in human character quickly won his regard, which, once obtained, he preserved to the last with as much tenderness as fervor. Nor was his friendship a sentiment only, it was earnest and active, and constantly striving to promote by works the interests of its object.

Col. Wagner commenced public life as a very young man. First as Representative, and then as Senator, from Christ Church. These halls witnessed for many years his zeal, activity and energy in the management of the affairs of his constituents and of the State.

Col. Wagner was deeply imbued with a love for his native State, and entertained equally a decided spirit of aggression against a people whom he honestly believed to be her bitter and vindictive enemies. He evidenced these strong opposite sentiments in a marked manner throughout both his political and military career.

When the governmental relations between the two great sections of the late Federal Union were severed, Col. Wagner was among the very first to promote military organizations for the defence of the State. Enlisting as a private in a company of regular artillery, upon its organization he was immediately made first lieutenant, and was placed in Fort Moultrie. In the defence of that fortress, during the battle of Fort Sumter, he behaved with distinguished gallantry, which won the confidence and compliments of his superior officers ; and rising rapidly in rank, he soon became a Lieutenant Colonel in a regiment of artillery.



During the progress of the war, amid all its varying fortunes, Col. Wagner was always confident, vigorous and intrepid, and infused these characteristics into the minds of those around him.

Upon the gallant field of Secessionville, Col. Wagner displayed the loftiest traits of heroism. He shared with the brave Lamar the glories of that day, and their names, as brothers in arms, will descend together in history,

“As on this glorious and well foughten field,  
They kept together in their chivalry.”

Both survived the dangers of that memorable day, Mr. President, to yield up their lives to their country, still in its service, indeed, but not as either would have wished to die, upon the field of battle, striking to the last against the enemies of their country.

Mr. President, there were three friends, especially attached one to the other, who for years were associated in these halls, and subsequently in the armies of their country,—Johnson, Wagner, and King. One yielded up his life on the consecrated field of Manassas, the second within the walls of Sumter, and the third upon the plains of Secessionville. They rest not remotely from each other, in the soil of the State which they loved so well. And hereafter, when peace once more spreads her blessed influences over the land, brave men and patriotic women will make gestures of respect and reverence as they pass the spots where they rest, and little children, in robes of innocence, will scatter the purple flowers over their graves, to keep their memories fresh forever.

Mr. President, I second, with many sad recollections, the resolutions of the Senator from Christ Church.

The preamble and resolutions were further advocated by feeling remarks from Mr. Wilson and Mr. Fickling, and were unanimously agreed to.

On motion of Mr. MOSES, it was further ordered that the Senate, as a mark of respect for the memory of the deceased Senator, do now suspend business, and the Senate, at 15 minutes past 4, P. M., suspended business until 8, P. M.

#### RECESS.

At 8, P. M., the PRESIDENT took the Chair, and the Senate proceeded with business.

The following messages were received from the House of Representatives:

HOUSE OF REPRESENTATIVES, December 17, 1862.

*Mr. President, and Gentlemen of the Senate :*

The House respectfully invites the Senate to attend the inauguration ceremonies of the Governor elect, to-morrow, at 11, A. M.

By order of the House,

A. P. ALDRICH, *Speaker*.

HOUSE OF REPRESENTATIVES, December 17, 1862.

*Mr. President, and Gentlemen of the Senate :*

The House respectfully proposes to the Senate to amend the resolution ordering a recess of the General Assembly, by striking out 12, M.

By order of the House,

A. P. ALDRICH, *Speaker*.

The Senate accepted the invitation in the first message, and concurred in the second, and messages were returned accordingly.

The Senate proceeded to the Special Order for this hour,

The report of the Committee of the Whole,

On a Bill to organize and supply negro labor for coast defence, in compliance with the requisitions of the Confederate Government. The report was agreed to, and the Bill received the third reading, and it was passed; the title was changed into "An Act," and it was returned to the House of Representatives.

Mr. WILSON moved to reconsider the vote of the Senate, concurring in the message from the House of Representatives, proposing to rescind so much of the resolution for taking a recess of the General Assembly, on 18th instant, as fixes the hour at 12, M., and the same was ordered.

On the question of concurring in the message, it passed in the negative.

Mr. MOSES moved that the message do lie on the table, and the same was ordered.

Mr. MOSES then moved that a message be sent to the House of Representatives, proposing to substitute 5, P. M., 18th inst., as the hour of adjournment, instead of 12, M., and the same was ordered.

Pursuant to notice, and with leave of the Senate, Mr. LESESNE introduced

A Bill to authorize the Banks of this State to purchase Confederate and State securities. The Bill received the first reading, and was referred to the Committee on Finance and Banks.

Mr. OSWALD, from the Committee to count the ballots for President and four Directors of the Bank of the State of South Carolina, reported that the following gentlemen had received a majority of the ballots cast :

*President*—CHARLES M. FURMAN.

*Directors*—W. C. DUKES,  
C. F. HANCKEL,  
W. F. McMILLAN,  
J. P. DEVEAUX.

Whereupon, they were declared by the PRESIDENT duly elected accordingly.

Mr. OSWALD submitted the following report; which was considered, and agreed to, and was ordered to be printed, and to be sent to the House of Representatives for concurrence:

The Committee of the Senate, appointed to act with a similar Committee of the House of Representatives, in making suitable arrangements for the reception of the remains of the late Gen. Maxey Gregg, on their arrival in this city, beg leave to submit the following arrangements, as having been agreed upon in concurrence with the City Council of Columbia:

That the body be kept at the family residence till 9 o'clock, A. M., when it will be escorted by the Committee of the two Houses, the City Council and the Arsenal Cadets, to the City Hall, where it will lie in state, attended by the Cadets as a guard of honor, till 12 o'clock, when both branches of the General Assembly, with their officers, together with the city authorities, the Cadets, brother officers and soldiers, will escort the remains to the Presbyterian Church, where the service will be performed, and the body will be interred with the honors of war. The city bell will be tolled from the time the body leaves the residence until it reaches the Church, while minute guns will be fired.

G. W. OSWALD,  
*Chairman Senate Committee.*

T. P. LIDE,  
*Chairman House Committee.*

The House of Representatives returned to the Senate,

A Bill to alter and amend an Act to afford aid to the families of soldiers, passed in the year A. D. 1861.

Certain amendments having been made by the House of Representatives, on the second reading, they were referred to a Committee of the Whole, Mr. MOSES, the Senator from Sumter, in the chair.

Mr. MOSES, from the Committee of the Whole, submitted a report recommending that the amendments made by the House of Representatives be agreed to. The Senate proceeded to the third reading of the Bill, and the reading having been concluded, the amendment to the title of the Bill made by the House, as follows: "A Bill to make appropriations in aid of

the families of soldiers, and to repeal an Act entitled An Act to afford aid to the families of soldiers, ratified on the 21st day of December, A. D. 1861," was agreed to, the Bill was passed, the title changed to an Act, and it was sent to the House of Representatives.

Mr. MOSES offered the following resolution, which was ordered for consideration to-morrow :

*Resolved*, That the 26th rule of the Senate be altered, by inserting, before the word "committee," the word "standing."

Mr. E. G. PALMER offered the following resolution ; which was ordered for consideration to-morrow :

*Resolved*, That the resolution recently adopted by both branches of the Legislature, requesting the Governor to distribute all of the salt on hand to the different Boards of soldiers' relief throughout the State, was designed to be a gratuitous distribution of salt.

The House of Representatives returned to the Senate, the report of the Committee on Claims and Grievances,

On the petition of J. B. O'Neill, praying to be paid a quarter's salary of Thomas J. Gantt, late Clerk of the Court of Appeals ; which had been amended by the House of Representatives, by leave of the Senate, and concurred in by that House.

On motion of Mr. MOSES, it was ordered that when the Senate adjourns it shall stand adjourned to meet to-morrow, at 10 o'clock, A. M.

On motion of Mr. MOSES, the Senate adjourned at half-past 9 o'clock, P. M.

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#### THURSDAY, DECEMBER 18, 1862.

The Senate met at 10, A. M., pursuant to adjournment. Prayer by the Rev. Mr. Shand.

The Clerk read the Journal of the proceedings of yesterday.

Mr. ARTHUR submitted the report of the Committee on Claims and Grievances, on the account of Theo. Stark, Keeper of the State House, for contingent expenses ; which was placed in the General Orders of this Day.



The Senate proceeded to the

### GENERAL ORDERS OF THE DAY.

Mr. MOSES moved to amend the resolution offered by him in reference to the 26th rule of the Senate, so that it would read as follows :

*Resolved*, That the 26th rule of the Senate be altered, by inserting, after the word "a," and before the word "Committee," in last line, the words "standing or special."

The amendment was agreed to, and on the question of agreeing to the resolutions, as amended, it passed in the negative.

Mr. E. G. PALMER moved to amend the resolution offered by him yesterday, in relation to the distribution of salt, by adding, "and in the ratio of the white population of the several election Districts."

The resolution was amended accordingly, and was agreed to, and sent to the House of Representatives for concurrence.

The report of the Committee on Claims and Grievances, on the account of Theo. Stark, Keeper of the State House, was agreed to, and sent to the House of Representatives for concurrence.

A Bill to extend some of the provisions of an Act entitled "An Act in reference to the suspension of specie payments by the Banks of this State, and for other purposes," to the first day of January, in the year of our Lord one thousand eight hundred and sixty-four, received the second reading, was agreed to, and was ordered to be sent to the House of Representatives.

### INAUGURATION OF THE GOVERNOR AND LT. GOVERNOR.

The Senate, at 11 o'clock, A. M., on motion of Mr. McKEWN, Chairman of the Committee on the part of the Senate, to make arrangements for the Inauguration of the Governor and Lieutenant Governor elect, proceeded to the House of Representatives.

Immediately thereafter, the Governor and Lieutenant Governor of the State, and the Hon. M. L. Bonham, Governor elect, and Hon. P. C. J. Weston, Lieutenant Governor elect, accompanied by the Committee of Arrangements of both Houses, entered the Hall.

The Hon. F. W. Pickens, in retiring from office, and the Governor elect, upon entering on the duties of the station assigned to him, addressed the General Assembly in an impressive and eloquent manner upon the present condition and future prospects of the State, and the duties of her citizens in the exigencies which await them.



The Speaker of the House of Representatives then administered the constitutional oath of office to the Governor and Lieutenant Governor elect.

The Senate then retired to the Senate Chamber, and immediately thereafter, the Speaker of the House of Representatives, accompanied by the Members, and attended by the Officers of the House, entered the Senate Chamber, where the President of the Senate delivered to the Governor and Lieutenant Governor elect their commissions. Thence the Governor and Lieutenant Governor, accompanied by the President of the Senate and Speaker of the House of Representatives, with the members of the General Assembly, repaired to the east portico of the Capitol, where the Sheriff of Richland District read the commission, and made proclamation of the election of the Governor.

Upon delivering his commission to the Governor elect,  
The PRESIDENT said :

SIR: I have the honor to deliver to you your commission, as Governor and Commander-in-Chief in and over the State of South Carolina, and to express the hope and confidence that your administration may redound not only to your own honor, but to the welfare and glory of the people who, in a time of great peril, have reposed so large and generous a trust in your prudence, courage and fidelity.

Upon delivering his commission to the Lieutenant Governor elect,  
The PRESIDENT said :

SIR: I have the honor to deliver to you your commission as Lieutenant Governor of the State. Allow me to express the wish that your future career may be as honorable and prosperous, as your past has been patriotic and self-sacrificing.

The Senate returned to the Senate Chamber.

Mr. LESESNE offered the following resolution; which was considered, and agreed to, and sent to the House of Representatives for concurrence :

*Resolved*, That the sum of thirty dollars be paid to the Messenger of the Senate, for extra services rendered during the session.

The House of Representatives sent to the Senate,

An Act to make appropriation in aid of the families of soldiers, and to repeal an Act entitled "An Act to afford aid to the families of soldiers," ratified on the twenty-first day of December, in the year of our Lord one thousand eight hundred and sixty-one; and it was referred to the Committee on Incorporations and Engrossed Acts.

Mr. OSWALD submitted the following report :

The Committee appointed by the Senate to make suitable arrangements for receiving the remains of the late General Maxcy Gregg, ask leave to inform the Senate that they have received intelligence from his Honor the Mayor, that the remains of General Gregg did not reach Columbia this morning, and are not expected here before five o'clock this afternoon.

The following message was received from the House of Representatives :

HOUSE OF REPRESENTATIVES, December 18, 1862.

*Mr. President, and Gentlemen of the Senate :*

The House respectfully concurs with the Senate to amend the resolution of recess, by striking out twelve, and inserting five, P. M.

By order of the House,

A. P. ALDRICH, *Speaker.*

The House of Representatives returned to the Senate,

The report of the Special Committee of the Senate, in relation to the funeral ceremonies of the late General Gregg, in which it had concurred.

Mr. FICKLING submitted the reports of the Committee on Privileges and Elections (recommending concurrence) on the part of the same Committee of the House of Representatives,

On filling vacancies in the Board of Managers at Small's box, in Lancaster, District ; and

On sundry petitions from citizens of several Districts, praying for changes in certain election precincts.

The reports were ordered for immediate consideration, and the reports of the House of Representatives were concurred in, and returned.

The House of Representatives sent to the Senate,

A Bill to authorize certain regiments to elect their field officers. The Bill received the third reading, and it was resolved that it do pass, that the title thereof be changed, that it be called an Act, and be returned to the House of Representatives.

At 12 o'clock, M., the Senate, on motion of Mr. MAZYCK, suspended business until 3 o'clock, P. M.

### RECESS.

At 3, P. M., the PRESIDENT resumed the Chair, and the Senate proceeded with business.

The House of Representatives sent to the Senate, for concurrence, the following papers :

Reports of the Committee on Claims,

On a resolution in relation to the payment for slaves lost in the service of the State; which was referred to the Committee on Claims and Grievances.

Report of the Committee on the Military,

On a resolution as to Morse's patent breech-loading carbine; which was referred to the Committee on the Military and Pensions.

The House of Representatives also sent to the Senate,

The report of the Committee on Claims, on the account of W. W. Purse, for work done in the House of Representatives; and

A resolution permitting the Governor to occupy the house of the President of the College; both of which were concurred in, and returned to the House of Representatives.

The House of Representatives sent to the Senate the following message :

HOUSE OF REPRESENTATIVES, December 18, 1862.

*Mr. President, and Gentlemen of the Senate :*

The House respectfully proposes to the Senate to amend the report of the Committee on Finance and Banks, on the petition of John R. Ellis, by striking out, "the adoption of the following resolution," and inserting "that there be refunded to John R. Ellis the sum of two hundred and two dollars forty-eight cents, the excess of tax incorrectly levied;" and also the resolution appended to the report.

By order of the House,

A. P. ALDRICH, *Speaker.*

A message of concurrence was returned accordingly.

The House of Representatives returned to the Senate, with its concurrence :

The report of the Committee on Claims and Grievances,

On the account of the Clerk of the Senate, for stationery :

On the account of W. W. Purse, for work done in the Senate Chamber in the year 1862 ;

Resolution authorizing Treasurers to make certain payments ;

The report of the Committee on Finance and Banks,

On the petition of John R. Ellis, praying that an error in the return of his Confederate War Tax may be corrected ;

Resolution for payment of the Messenger of the Senate ;

Resolution relating to Treasury of the Lower Division ;

The report of the Committee on Claims and Grievances,

On the account of Theodore Stark, State House Keeper, for the contingent expenses of the Legislature ;

Report of the Committee on the Military and Pensions,  
On the Message of his Excellency the Governor, in relation to Creuzbar's  
iron-plated vessels of war ;

Resolution relative to the distribution of salt :

Report of Special Joint Committee on Message No. 13 of his Excellency,  
to examine the contingent accounts ;

The report of the Committee on Finance and Banks,

On a resolution for appointing an agent to settle claims against the Confederate Government.

Mr. SIMPSON, from the Committee on Incorporations and Engrossed Acts; reported, that the Acts which had been passed at the present session had been engrossed, and were now ready for ratification.

A message was sent to the House of Representatives, inviting that body to attend in the Senate Chamber for the ratification, forthwith.

Immediately thereafter, the Speaker and the members of the House of Representatives, attended by the officers of the House, entered the Senate Chamber, when the following Acts were duly ratified, in the presence of the members of both branches of the General Assembly :

#### ACTS ORIGINATING IN THE SENATE.

An Act to incorporate the Importing and Exporting Company of South Carolina ;

An Act to charter the Shelby and Broad River Railroad Company ;

An Act to suppress the undue distillation of spirituous liquors from the cereal grains of this State ;

An Act to abolish the Executive Council established by the Ordinance of the Convention entitled an Ordinance for strengthening the Executive Department during the exigencies of the present war ;

An Act to enable the Charleston Savings' Institution to purchase and hold real property ;

An Act to renew and amend the charter of the Swedish Iron Manufacturing Company of South Carolina, and to change the name thereof ;

An Act to incorporate the Carolina Cotton and Woolen Factory ;

An Act to organize and supply negro labor for coast defence, in compliance with requisitions of the Confederate Government ;

An Act to make appropriation in aid of the families of soldiers, and to repeal an Act entitled An Act to afford aid to the families of soldiers, ratified on the twenty-first day of December, in the year of our Lord one thousand eight hundred and sixty-one.



## ACTS ORIGINATING IN THE HOUSE OF REPRESENTATIVES.

An Act to provide for a guaranty by the State of the bonds of the Confederate States;

An Act to authorize and empower certain regiments to elect their field officers.

The House of Representatives sent to the Senate,

A resolution for appointing an additional election precinct in Abbeville District; and

A resolution authorizing the Commissioners of Public Buildings to permit the removal of records in the Court of Common Pleas back to Charleston; which were concurred in, and returned to the House of Representatives.

The House of Representatives also sent to the Senate,

The report of the Committee on the Military,

On the petition of Asa George, praying aid in the construction of a revolving gun; which was referred to the Committee on the Military and Pensions; and also,

A resolution in relation to the continuance in office of the Commissioners of several Boards of soldiers' relief; which, on motion of Mr. MOSES, was ordered to lie on the table.

A message was received from the House of Representatives, delivered orally by the Clerk, informing the Senate that the House had disposed of the business before it, and was now ready to suspend business, pursuant to the resolutions of the two Houses.

Mr. MOSES moved that a message be sent to the House of Representatives, to be delivered orally by the Clerk, informing that House that the Senate had also disposed of its business, and was now ready to adjourn; and the same was ordered.

Immediately thereafter, Mr. MOSES moved that business be now suspended, and the same was carried.

The President announced that business was suspended until the 20th day of January next, at 7, P. M. The Senate thereupon adjourned.



## TUESDAY, JANUARY 20, 1863.

Pursuant to the order previously made by the two Houses of the General Assembly, the Hon. W. D. PORTER, President of the Senate, took the Chair at 7, P. M., on this day, in the Senate House, in the City of Columbia.

On the roll being called, the following Senators answered to their names :

Hon. Robert Beaty,	Union.
" J. W. Blakeney,	Chesterfield.
" A. C. Garlington,	Newberry.
" Robert Maxwell,	Pickens.
" R. G. McCaw,	York.
" W. M. Murray,	St. John's, Colleton.
" E. G. Palmer,	Fairfield.
" W. D. Simpson,	Laurens.
" T. Edwin Ware,	Greenville.

A quorum not being in attendance, the Senate, on motion of Mr. GARLINGTON, adjourned.

## WEDNESDAY, JANUARY 21, 1863.

The Hon. W. D. PORTER, President, took the Chair at 12, M.

On the call of the roll, the following Senators answered to their names :

Hon. E. J. Arthur,	Richland.
" Robert Beaty,	Union.
" J. W. Blakeney,	Chesterfield.
" A. H. Boykin,	Kershaw.
" A. C. Garlington,	Newberry.
" John C. Hope,	Lexington.
" David Houser,	St. Matthew's.
" W. D. Johnson,	Marlboro'.
" Benj. W. Lawton,	Barnwell.
" H. D. Lesesne,	St. Philip's and St. Michael's.

Hon. J. L. Manning,	Clarendon.
" Robert Maxwell,	Pickens.
" Sam'l McAiley,	Chester.
" Alex. Mazyck,	St. James', Santee.
" R. G. McCaw,	York.
" F. J. Moses,	Sumter.
" W. M. Murray,	St. John's, Celleton.
" Geo. W. Oswald,	St. Bartholomew's.
" E. G. Palmer,	Fairfield.
" F. J. Sessions,	Kingston.
" Arthur Simkins,	Edgefield.
" W. D. Simpson,	Laurens.
" Thomas Thomson,	Abbeville.
" T. Edwin Ware,	Greenville.
" J. J. Wortham,	All Saints'.

The session was opened with prayer by the Rev. Mr. Kennedy.

A quorum being present, the Clerk read the Journal of the proceedings or the 18th December last; also, that of yesterday.

Mr. MOSES moved to amend the latter by striking out the words "the Senate," in the record of the motion for adjournment, and to insert "the members present."

On the question of agreeing to the motion, it was decided in the negative.

On motion of Mr. MAZYCK, it was ordered that it be stated on the Journal that the absence of Senators yesterday was in consequence of accidents on the South Carolina, and Greenville and Columbia Railroads, which caused their detention.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, January 21, 1862.

*Mr. President, and Gentlemen of the Senate:*

The House respectfully informs the Senate that it has met, according to adjournment, has a quorum, and is ready to proceed to business.

By order of the House,

A. P. ALDRICH, *Speaker*.

On motion of Mr. MOSES, a message, to a similar effect, was sent to the House of Representatives, and delivered orally by the Clerk.

On motion of Mr. SIMPSON, a Committee was appointed to wait on his Excellency the Governor, and inform him that the Senate had met, a quorum being present, and was ready to receive any communication he might be pleased to make to them.

Messrs. Simpson, Thomson and Oswald were appointed the Committee.

Mr. THOMSON presented the petition of Joseph T. Baker, for compensation for a slave lost in public service; which was referred to the Committee on Claims and Grievances.

Mr. SIMKINS presented the petition of sundry citizens of Edgefield, praying legislation against the grievance of slaves stealing articles of prime necessity; which was referred to the Committee on the Judiciary.

Mr. HOPE offered the following preamble and resolution; which were agreed to, and the Committee instructed accordingly:

Whereas iron is indispensable to our system of agriculture; and whereas the supply is diminishing so rapidly as to advance the price to a very high rate, and threatening to impede successful cropping; therefore,

*Resolved*, That it be referred to the Committee on Agriculture and Internal Improvements to inquire into the necessity and expediency of encouraging the increased production of this article by legislative action, and that they report by Bill or otherwise.

Mr. ARTHUR offered the following resolution, which was agreed to:

*Resolved*, That it be referred to the Committee on the Judiciary to ascertain and report whether any additional legislation is necessary, and if so what, in relation to officers and soldiers of the Federal army taken in arms within the limits of this State, or turned over to the State authorities by the Confederate Government; and that the said Committee do report by Bill or otherwise.

Mr. ARTHUR also gave notice that he will, to-morrow, ask leave to introduce

A Bill to prohibit extortion and punish extortioners.

Mr. SIMPSON, from the Committee to wait on his Excellency the Governor, reported that the Committee had performed the duty assigned to them, and that his Excellency had informed the Committee that he would communicate with the Senate to-day, at 1, P. M.

The Senate proceeded to the

#### GENERAL ORDERS OF THE DAY.

The report of the Committee on the Judiciary,

On a Bill to continue in force an Act entitled "An Act to extend relief to debtors, and to prevent the sacrifice of property at public sales," was, on motion of Mr. MOSES, placed in the General Orders of the Day for Saturday next.

A Bill to vacate the commissions of militia officers ; and a Bill to extend some of the provisions of an Act entitled "An Act in reference to the suspension of specie payments by the banks of this State, and for other purposes," to the first day of January, in the year of our Lord one thousand eight hundred and sixty-four, were, on motion of Mr. MAZYCK, placed in the General Orders of the Day for to-morrow.

The General Orders were disposed of.

At 1, P. M., Message No. 1, from his Excellency the Governor, was communicated, and read to the Senate.

On motion of Mr. SIMPSON, the Message was made the Special Order of the Day for to-morrow, at half-past 12, P. M., and was ordered to be printed.

Mr. SIMPSON presented the petition of William Young, praying compensation for a slave who died in the public service ; which was referred to the Committee on Claims and Grievances.

On motion of Mr. MAZYCK, the Senate adjourned at 15 minutes past 1, P. M.

#### THURSDAY, JANUARY 22, 1863.

The Senate met at 12, M. Prayer by the Rev. Dr. Adger.

The Clerk read the journal of the proceedings of yesterday.

#### ADDITIONAL SENATORS.

Hon. P. T. Hammond,

Lancaster.

" Geo. D. Keitt,

Orange.

" Benj. H. Wilson,

Prince George, Winyah.

#### PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives returned to the Senate, with its concurrence,

The report of the Committee on Finance and Banks,

On the petition of Isaac N. Lenoir, praying to be refunded a tax illegally paid ;

On the petition of the stockholders of the Privateer "Jefferson Davis," praying the cancellation of a bond executed to the State for armament ;

On the account of the Roper Fund.

The House of Representatives sent to the Senate

The report of the Committee on Roads, Bridges and Ferries, on the petition of Francis P. Cox, praying the recharter of Cox's Ferry; which was referred to the Committee on Roads and Buildings.

Reports of the Committee on Claims,

On the account of R. W. Gibbes, for printing;

On the account of E. R. Stokes, for binding;

On the claim of Elijah Still, Constable of Edgefield District, for extra services;

On the account of Evans & Cogswell, for printing; which were referred to the Committee on Claims and Grievances.

Reports of the Committee of Ways and Means,

On the petition of Martin Edwards, to be refunded a war tax improperly exacted;

On the petition of Peter Cox, to be refunded an amount of war tax overpaid;

On the petition of J. Patterson, as Commissioner in Equity for Barnwell District, to be refunded a war tax improperly paid;

On the petition of John M. Bolan, to be refunded a war tax twice paid;

On the petition of O. R. Broyles, to be refunded a double tax;

On the petition of the Trustees of the Marine School of Charleston;

On the petition of W. F. Robert, to be refunded a tax improperly paid;

On the petition of Isaac N. Lenoir, to be refunded a war tax improperly paid;

On the petition of A. W. Dozier, to be refunded a tax improperly paid;

On the petition of Reuben Smith, to be refunded a tax illegally exacted; which were referred to the Committee on Finance and Banks.

The report of the Medical Committee,

On the account of Dr. F. Monroe, for attending criminals in jail; which was referred to the Committee on the Lunatic Asylum and Medical Accounts.

Report of the Abbeville Delegation,

On the estate of Dr. John De LaHowe; which was referred to the Committee on the College, Education and Religion.

Mr. HOPE offered the following resolution; which was ordered for immediate consideration, was agreed to, and ordered to be sent to the House of Representatives:

*Resolved*, The the members of both branches of the Legislature, from each Election District, be required to meet, at their earliest opportunity, to nominate the respective Boards of Relief for soldiers' families, and report



their names to the Committee on Vacant Offices and Officers, of the House, who shall immediately report the entire nomination for the State to the Legislature for confirmation, and thus to effect their appointment by the General Assembly, and that thereafter they have appointments published forthwith, in the newspapers of Columbia, for the information and use of the Soldiers' Boards of Relief, and other parties concerned.

Mr. McALILEY offered the following resolution; which was considered, and agreed to, and was sent to the House of Representatives for concurrence:

*Resolved*, That this Legislature adjourn its present session on Friday, 30th inst., at 5 o'clock, P. M.

Mr. MANNING presented the petition of C. R. Harbin for compensation for slaves who died from disease contracted in the public service; which was referred to the Committee on Claims and Grievances.

Mr. BEATY presented the petition of Jesse Briggs, with a similar prayer; which was referred to the same Committee.

Mr. LAWTON presented the return of Commissioners of Free Schools for Barnwell District, for 1862; which was referred to the Committee on the College, Education and Religion.

Mr. LESESNE presented the petition of David Ramsay, for relief from a tax execution on property destroyed by the Confederate States; which was referred to the Committee on Finance and Banks.

Mr. THOMSON presented the petition of James N. Cochran, to be refunded a Confederate tax twice paid; which was referred to the same Committee.

Mr. MOSES presented the petition of Francis M. Mellett and J. H. McKnight, praying relief in the matter of the elections held in the 8th Regiment of Reserves; and

The petition of the 8th Regiment of Reserves, to be relieved from duty at the expiration of their present term of service; which were referred to the Committee on the Military and Pensions.

Mr. HAMMOND presented, the returns of the Commissioners of Free Schools for Lancaster District, for 1862; which was referred to the Committee on the College, Education and Religion.

#### SPECIAL ORDER FOR 1, P. M.

The Senate proceeded to the Special Order for this hour, the reference of Message No. 1 of his Excellency the Governor.

Mr. SIMPSON offered the following resolutions :

1. *Resolved*, That so much of the Message of his Excellency the Governor as relates to the growing of cotton in this State, together with an Act of the General Assembly of Georgia, and other accompanying papers and correspondence in connection with the same subject, and to a resolution adopted by the State of Florida, "relating to salt," be referred to the Committee on Agriculture and Internal Improvements.

2. *Resolved*, That so much as relates to a resolution adopted by the State of Florida, in reference to guaranteeing the debts of the Confederate Government, be referred to the Committee on Finance and Banks.

3. *Resolved*, That so much as relates to a resolution, from the State of Florida, in reference "to the present war;" so much as relates to the subject of negro labor on the coast, with the accompanying papers and telegram; to the forces of this State, with accompanying correspondence; to the Combahee Rangers; to the mounted companies of Captains Boykin and Rodgers; to the communication of Mr. David Lopez, with correspondence; to the appointment of Cadets; to the creation of the office of Assistant Adjutant General during the war; to the appointment of an Agent at Richmond to attend to the wants of sick and wounded soldiers of this State; and to the course pursued by the Adjutant General, under the recent Act of the General Assembly, requiring elections to be held for field officers in the several Regiments of Reserves, together with the report of that officer and accompanying papers, be referred to the Committee on Military and Pensions.

4. *Resolved*, That so much as relates to the claim of the Charleston and Savannah Railroad Company, with the correspondence upon the same subject with Mr. B. D. Hasell, President, be referred to the Committee on Claims and Grievances.

5. *Resolved*, That so much as relates to the subject of vaccination, with the accompanying communication of Major Cumming, Surgeon of Provisional Army, be referred to the Committee on the Lunatic Asylum and Medical Accounts.

The resolutions having been ordered for immediate consideration, Mr. WILSON offered the following amendment :

That so much as relates to the proclamation appointing Boards of Relief, be referred to a Special Committee of three, to be appointed by the Chair.

Mr. MAZYCK moved that the amendment do lie on the table; which question was ordered to be decided by yeas and nays, and they are as follows :

Those who voted in the affirmative, are :

Hon. W. D. PORTER, President ; Messrs. Blakeney, Boykin, Garlington, Hammond, Hope, Houser, W. D. Johnson, Keitt, Lawton, Lesesne, Maxwell, Mazyck, McCaw, Murray, Oswald, E. G. Palmer, Simpson, Thomson, Ware, and Wortham.

Those who voted in the negative, are :

Messrs. Arthur, Beaty, Manning, McAliley, Moses, Sessions, and Wilson.  
In the affirmative, 21.

In the negative, 7.

The amendment was, therefore, ordered to lie on the table.

The question recurring upon the resolutions, they were agreed to, and the Message was referred accordingly.

Pursuant to notice, and with leave, Mr. ARTHUR introduced

A Bill to prohibit extortion and punish extortioners ; which received the first reading, and was referred to the Committee on the Judiciary.

The House of Representatives sent to the Senate the report of the Special Committee on the subject of negro labor for the defences of Charleston ; which was referred to the Committee on Military and Pensions, and was ordered to be printed.

The Senate proceeded to the

### GENERAL ORDERS OF THE DAY.

A Bill to extend some of the provisions of an Act entitled "An Act in reference to the suspension of specie payments by the Banks of this State, and for other purposes," to the first day of January, in the year of our Lord one thousand eight hundred and sixty-four, received the third reading, was agreed to, the title was changed to an Act, and it was sent to the House of Representatives.

A Bill to vacate the commissions of militia officers was, on motion of Mr. MAZYCK, placed in the General Orders of the Day for to-morrow.

The General Orders of the Day were disposed of.

On motion of Mr. MANNING, the Senate adjourned at ten minutes past 1, P. M.

FRIDAY, JANUARY 23, 1863.

The Senate met at 12, M. Prayer by the Rev. Dr. Reynolds.  
The Clerk read the Journal of the proceedings of yesterday.

## ADDITIONAL SENATORS.

Hon. M. T. Appleby,	St. George's, Dorchester,
" W. Izard Bull,	St. Andrew's,
" D. H. Ellis,	Prince William's,
" J. W. Harrison,	Anderson,
" R. L. Hart,	Darlington,
" E. H. Miller,	Williamsburg,
" J. W. Miller,	Spartanburg,
" Edmund Rhett,	St. Helena,

appeared in their places in the Senate Chamber.

Mr. SIMKINS, who stated that he was unavoidably absent when the vote was taken yesterday, on the motion of Mr. Mazyck, that the amendment offered by Mr. Wilson to the resolutions referring the Message of his Excellency the Governor do lie on the table, requested permission of the Senate to record the vote he would have given if he had been present; and on the Senator's name being called, he voted in the affirmative.

## PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate

A Bill to grant the aid of the State to the Cheraw and Coal Fields Railroad Company; also,

A Bill to refund to the Soldiers' Board of Relief for Barnwell and Laurens Districts and for St. Matthew's and Christ Church Parishes, moneys advanced and expended by them, as Boards of Relief, out of their private funds; which received the first reading, and were referred to the Committee on Finance and Banks.

The report of the Medical Committee,

On the account of Dr. W. C. Freeman, for a *post mortem* examination; which was referred to the Committee on the Lunatic Asylum and Medical Accounts.

The report of the York and Lancaster delegations,

On the annual report of John R. Patton, agent, of the Catawba Indians;

The report of the Committee on Colored Population,



On the report of the Central Secretary to the Commissioners for the removal of negroes from the Districts of Beaufort, Colleton, Georgetown and Charleston ; which were referred to the Committee on Finance and Banks.

The House of Representatives returned to the Senate, with its concurrence,

Resolution for the adjournment of the General Assembly on Friday, the 30th instant.

The report of the Committee on the Lunatic Asylum and Medical Accounts, of the Senate,

On the account of Dr. T. J. Goodwyn, for services rendered prisoners in jail ;

On the petition of Dr. N. H. Johnston, praying payment of a medical account.

Resolution providing for a meeting of the members of the Legislature for nominating Boards of Commissioners for the Soldiers' Relief Bill.

Mr. MOSES submitted the report of the Committee on the Judiciary,

On a Bill to prevent the sacrifice of property at public sales in certain cases, recommending the passage of the Bill ; which was ordered for consideration to-morrow, and the report and Bill were ordered to be printed.

Mr. PALMER, from the Committee on Agriculture and Internal Improvements, reported

A Bill to prevent and punish the planting and cultivating, in this State, over a certain quantity of cotton during the war with the Abolitionists ; which received the first reading, and was ordered for the second reading to-morrow, and to be printed.

Mr. KEITT presented the petition of W. W. Culler, praying compensation for a slave who died from disease contracted in the public service ; which was referred to the Committee on Claims and Grievances.

Mr. BLAKENEY presented the petition of Zachariah Ellerbe, Sr., praying compensation for the loss of a negro who died from disease contracted in the service of the State.

Mr. WILSON presented the report of the Solicitor of the Eastern Circuit on District offices and officers ; which was referred to the Committee on the Judiciary.

Mr. HAMMOND gave notice that, to-morrow, he will ask leave to introduce

A Bill for the appointment of Commissioners of the Poor for Lancaster District.

Mr. LESESNE offered the following resolution ; which was considered, and agreed to, and the Committee was instructed accordingly :

*Resolved*, That it be referred to the Committee on the Lunatic Asylum and Medical Accounts to inquire and report whether it be not expedient



and proper that the Board of Regents of the said Institution should close up and use, for the purposes of the Asylum, so much of Pickens Street, in the City of Columbia, as lies between Lumber and Upper Streets, in pursuance of authority granted to them by Act of the General Assembly, ratified on the 19th day of December, 1855.

Mr. HART presented the petition of citizens of Darlington, asking the disbanding of a military company; which was referred to the Committee on Military and Pensions.

Mr. HARRISON presented the petition of Zachariah Hall, praying compensation for a slave who died from disease contracted in the public service; which was referred to the Committee on Claims and Grievances.

Mr. LESESNE offered the following resolution, which was considered, and agreed to:

*Resolved*, That James Tupper, Auditor, be authorized to have exemplified copies made of all papers in the archives of the State relating to public and private claims, which he may require in the preparation and adjustment of the claims of this State against the Confederate States.

The Senate granted leave to Mr. MURRAY to withdraw the petition of Kinsey Burden and others.

Mr. LESESNE gave notice that he will ask leave, to-morrow, to introduce

A Bill to amend an Act ratified on the eighteenth day of December, in the year of our Lord one thousand eight hundred and sixty-two, entitled "An Act to make appropriation in aid of the families of soldiers, and to repeal an Act entitled 'An Act to afford aid to the families of soldiers, ratified on the first day of December, in the year of our Lord one thousand eight hundred and sixty-one.'"

Mr. ARTHUR offered the following resolution; which was referred to the Committee on the Lunatic Asylum and Medical Accounts:

*Resolved*, That the Treasurer of the Upper Division be instructed to pay Dr. A. N. Talley the sum of one hundred and four dollars, heretofore allowed him for a medical bill by the two Houses of the Legislature, and which sum has not been paid.

The Senate proceeded to the

#### GENERAL ORDERS OF THE DAY.

A Bill to vacate the commissions of militia officers, received the second reading, was agreed to, and was ordered to be sent to the House of Representatives.

The General Orders were disposed of.

On motion of Mr. MOSES, the Senate adjourned at 1 o'clock, P. M.

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SATURDAY, JANUARY 24, 1863.

The Senate met at 12, M. Prayer by the Rev. Mr. Shand.

The Clerk read the journal of the proceedings of yesterday.

ADDITIONAL SENATOR.

Hon. F. W. FICKLING, St. Luke's,

appeared in his seat in the Senate Chamber.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

HOUSE OF REPRESENTATIVES, January 23, 1863.

*Mr. President, and Gentlemen of the Senate :*

The House respectfully proposes to the Senate to amend the report on the petition of James Gilliam, to be refunded a Confederate war tax twice paid, by adding, after the word "cent," in the fourteenth line, the words "less five per centum thereon."

By order of the House,

A. P. ALDRICH, *Speaker*.

HOUSE OF REPRESENTATIVES, January 23, 1863.

*Mr. President, and Gentlemen of the Senate :*

The House respectfully proposes to the Senate to amend the report of the Committee on Finance and Banks, on the petition of Elizabeth Hinson, to be refunded a war tax wrongfully paid, by adding the following words: "And that if the tax was paid on or before the 31st July, 1862, five per centum be deducted therefrom."

By order of the House,

A. P. ALDRICH, *Speaker*.

The House of Representatives sent to the Senate the following message :

## HOUSE OF REPRESENTATIVES, January 24, 1863.

*Mr. President, and Gentlemen of the Senate :*

This House has appointed a Committee on its part to investigate the Bank of the State and its Branches, consisting of Messrs. M. P. O'Connor, A. M. Martin and Wm. Lebby, for the Parent Bank; Messrs. J. D. Aiken, C. H. Suber and J. H. Evins, for the Branch at Columbia; Messrs. Stephen Elliot, Jr., R. F. Graham, J. C. McClenaghan, for the Branch at Camden; and Messrs. James M. Perrin, James McCullough and John F. Talbert, for the Branch at Abbeville, and respectfully request that the Senate do appoint a similar Committee. And that the members of said Committee be allowed the same per diem and mileage as members of the Legislature, while engaged in that service.

By order of the House,

A. P. ALDRICH, *Speaker*.

A message of concurrence was returned, and the following gentlemen were appointed the Committee: Messrs. Wm. M. Murray, H. D. Lesesne and G. W. Oswald, for the Parent Bank; Messrs. R. G. McCaw, Robert Beaty and J. C. Hope, for the Branch at Columbia; Messrs. A. H. Boykin, P. T. Hammond and J. W. Blakeney, for the Branch at Camden; and Messrs. Thomas Thomson, Robert Maxwell and Arthur Simkins, for the Branch at Abbeville.

The House of Representatives returned to the Senate, with its concurrence, the following papers:

The report of the Committee on the Military and Pensions,

On so much of the Message No. 2 of his Excellency the Governor, as relates to the First Corps of Reserves.

Report of the Committee on Claims and Grievances,

On the account of Evans & Cogswell, for printing the Code of Statute Law.

Report of the Committee on Finance and Banks,

On the petition of Giles J. Patterson, praying to be refunded a war tax twice paid;

On the report of the Transient Poor of the City of Charleston.

The House of Representatives sent to the Senate the following papers:

The reports of the Committee on Claims,

On the claim of J. T. Hershman, for printing;

On the claim of the Edgefield Advertiser, for printing;

On the account of the Barnwell Sentinel, for printing;

On the claim of W. M. Conyers, Editor of the Lancaster Ledger, for public printing;

On the account of P. B. Glass & Co., for stationery furnished to the House of Representatives ;

On the account of Isaac H. Means, Secretary of State, for work done in his office in 1862 ;

On the account of Isaac H. Means, Secretary of State, for work done in his office in 1861 ;

On the account of J. M. Hunter, Sheriff, for removing a prisoner ; which were referred to the Committee on Claims and Grievances.

The reports of the Committee of Ways and Means,

Upon a resolution directing the President of the Bank of the State of South Carolina to pay up the arrears of interest on railroad bonds upon which is endorsed the guarantee of the State ;

On the petition of Daniel McJunkin, to be refunded a war tax improperly exacted ;

On the petition of James Thomson, administrator of Dabney Wansley, to be refunded a double tax ;

On the petition of Nathan Legare, to be refunded a double tax ;

On the petition of Robert A. Buchanan, to be refunded excess of war tax ;

On the petition of Hiram Weeks, to be refunded excess of war tax ;

On the petition of James Brian, to be refunded a war tax paid in excess ; which were referred to the Committee on Finance and Banks.

The report of the Committee on the Military,

On the Annual Report of the Board of Visitors of the South Carolina Military Academy ;

On the resolution in regard to Mahan's work on permanent fortifications ; which were referred to the Committee on the Military and Pensions.

The report of the Committee on Roads, Bridges and Ferries,

On the petition of James Bell, in regard to Buckhead Causeway, and to be released from the lease thereof ; which was referred to the Committee on Roads and Buildings.

The report of the Joint Committee,

On the communication of J. L. Petigru, Esq., Commissioner of the Code ; which was concurred in, and returned to the House of Representatives.

The House of Representatives sent to the Senate,

A Bill to continue of force an Act entitled " An Act to authorize certain Building and Loan Associations to suspend the call for monthly instalments ; which received the third reading, and it was

*Resolved*, That the Bill do pass ; that the title thereof be changed, and that it be called an Act.

*Ordered*, That it be sent to the House of Representatives.



The following Bills, having been amended by the House of Representatives on the third reading, were referred as follows :

A Bill to incorporate the Wando, Wambaw and Winyah Canal Company, was referred to the Committee on Agriculture and Internal Improvements ;

A Bill to authorize the Bank of the State to increase its issue of small bills, was referred to the Committee on Finance and Banks.

Mr. LESESNE presented the memorial of sundry citizens of Charleston, South Carolina, praying for an Act of Incorporation of the Trading Company of the Confederate States ; which was referred to the Committee on Incorporations and Engrossed Acts.

Mr. MOSES presented the petition of Irby S. Wells, for compensation for the loss of a negro, who died in the public service ; which was referred to the Committee on Claims and Grievances.

Pursuant to notice, and with leave, the following Bills were introduced, received the first reading, and were referred as follows :

By Mr. LESESNE: A Bill to amend an Act ratified on the eighteenth day of December, in the year of our Lord one thousand eight hundred and sixty-two, entitled " An Act to make appropriation in aid of the families of soldiers, and to repeal an Act entitled ' An Act to afford aid to the families of solders, ratified on the first day of December, in the year of our Lord one thousand eight hundred and sixty-one ;' " which was referred to the Committee on the Military and Pensions.

By Mr. HAMMOND: A Bill for the appointment of Commissioners of the Poor for Lancaster District ; which was referred to the Committee on Accounts and Vacant Offices.

## REPORTS OF COMMITTEES.

Mr. MOSES, from the Committee on the Judiciary, reported

A Bill to vest the title of the State in certain escheated property in Rose Ann Carnighan and her heirs, which received the first reading, and was ordered for a second reading on Monday next.

Mr. McALILEY submitted the following reports of the Committee on Finance and Banks, on the reports of the Committee of Ways and Means, of the House of Representatives : (Recommending concurrence.)

On the petition of J. Patterson, as Commissioner in Equity for Barnwell District, to be refunded a war tax improperly paid ;

On the petition of W. F. Robert, to be refunded a tax improperly paid ;

On the petition of the Trustees of the Marine School of Charleston ;

On the petition of Isaac N. Lenoir, to be refunded a war tax improperly paid ;

On the petition of Peter Cox, to be refunded an amount of war tax overpaid ;

On the petition of Reuben Smith, to be refunded a tax illegally exacted ;

On the petition of O. R. Broyles, to be refunded a double tax ;

On the petition of John M. Bolan, to be refunded a war tax twice paid ;

On the petition of Martin Edwards, to be refunded a war tax improperly exacted ;

On the petition of A. W. Dozier, to be refunded a tax improperly paid ;

And the report of the same Committee,

On the petition of James N. Cochran, praying to be refunded a Confederate tax twice paid ;

And the report of the same Committee,

On a Bill to grant aid to the Cheraw and Coal Fields Railroad Company, recommending the passage of the Bill.

Mr. E. G. PALMER submitted the report of the Committee on Agriculture and Internal Improvements,

On a resolution in relation to a supply of iron ; all of which were ordered for consideration on Monday next.

Mr. GARLINGTON, from the Committee on the Military and Pensions, to which had been referred certain portions of the Message of the Governor relative to the supply of negro labor ; and, also, the report of the Special Committee of the House of Representatives on the same subject, reported, as a substitute for the report of the Committee of the House of Representatives,

A Bill to amend an Act entitled "An Act to organize and supply negro labor for coast defence, in compliance with requisitions of the Government of the Confederate States, and to authorize and direct the Governor to proceed to furnish negro labor under said Act."

The Bill received the first reading, and was ordered for a second reading to-morrow, and to be printed.

The Senate proceeded to the

### GENERAL ORDERS OF THE DAY.

The favorable report of the Committee on the Judiciary, on

A Bill to continue in force "An Act to extend relief to debtors, and to prevent the sacrifice of property at public sales," and the favorable report of the same Committee on

A Bill to prevent the sacrifice of property at public sales in certain cases, were, on motion of Mr. MOSES, made the Special Order of the day for Monday next, at 1, P. M.

A Bill to prevent and punish the planting and cultivating in this State over a certain quantity of cotton during the war with the Abolitionists, was

taken up for a second reading; and, after some time spent thereon, on motion of Mr. MAZYCK, the Bill was ordered for a second reading on Monday next.

The General Orders were disposed of.

Mr. GARLINGTON moved to reconsider the reference of

A Bill to amend an Act entitled "An Act to make appropriation in aid of the families of soldiers, ratified on the twenty-first day of December, in the year of our Lord one thousand eight hundred and sixty-one, and that it be referred to a special Committee, consisting of the same Senators who constituted the Committee on that subject; and the same was ordered.

Mr. ELLIS presented the petition of Philip Terry; also,

Of N. W. Heyward, for negroes lost in public service.

Mr. PALMER, from the Committee on Agriculture and Internal Improvements, to which had been referred the amendments made in the House of Representatives, on the second reading, to

A Bill to incorporate the Wando, Wambaw and Winyah Canal Company, submitted a report, recommending the Senate to concur in the amendments.

The report was ordered for immediate consideration.

The Bill received the third reading, and it was

*Resolved*, That it do pass; that the title thereof be changed; that it be called an Act.

*Ordered*, That it be sent to the House of Representatives.

On motion of Mr. BOYKIN, the Senate adjourned at 5 minutes to 3, P. M.

## MONDAY, JANUARY 26, 1863.

The Senate met at 12, M. Prayer by the Rev. Mr. Mouzon.

The Clerk read the journal of the proceedings of Saturday.

### PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate

The report of the Committee on the Military,

On so much of Message No. 1 of the Governor as was referred to them; which was referred to the Committee on the Military and Pensions.

Resolution to pay the Clerk of the House for extra services ;

Resolution in relation to the books of the Ordinary's Court for Charleston District—certain records to be returned to the custody of George Buist, Ordinary ; which was referred to the Committee on the Judiciary.

Resolution in reference to an agency in Richmond for the assistance of South Carolina soldiery ; which was referred to the Committee on the Military and Pensions.

The House of Representatives returned to the Senate the following Acts ; which were referred to the Committee on Incorporations and Engrossed Acts :

An Act to continue of force an Act entitled "An Act to authorize certain Building and Loan Associations to suspend the call for monthly instalments ;"

An Act to incorporate the Wando, Wambaw and Winyah Canal Company.

The House of Representatives sent to the Senate

A Bill to vest in the Confederate Government a part of the Columbia Canal for the term of seven years ; which received the first reading, and was referred to the Committee on Agriculture and Internal Improvements.

### REPORTS OF COMMITTEES.

Mr. MOSES presented the report of the Committee on the Judiciary, on the following papers :

The petition of W. B. Dingle, Sheriff of Charleston District, praying an increase for jail maintenance ;

Petition of sundry citizens of Edgefield District, praying that the jurisdiction of the Court of Ordinary be extended in certain respects ;

Resolution of a public meeting of Darlington Court House, memorializing for a restriction on the pardoning power ;

Petition of sundry citizens of Edgefield District, praying legislation against the grievance of slaves stealing articles of prime necessity ;

A Bill to prohibit extortion and punish extortioners ; which were ordered for consideration to-morrow.

Mr. MOSES, from the Special Joint Committee relative to the Ordinances of the Convention, and the proceedings of the Executive Council, reported

A Bill to declare the law in relation to the proceedings of the Executive Council ; which received the first reading, and was ordered for a second reading to-morrow, and the Bill and Report were ordered to be printed.

Mr. WARE, from the Committee on Accounts and Vacant Offices, submitted a report



On a Bill for the appointment of Commissioners of the Poor for Lancaster District.

The report was ordered for immediate consideration, and the Bill received the second reading, was agreed to, and was ordered to be sent to the House of Representatives.

Mr. HOPE submitted the report of the Special Committee

On a Bill to amend an Act entitled "An Act to make appropriations in aid of the families of soldiers," and to repeal an Act entitled "An Act to afford aid to the families of soldiers," ratified on the 21st day of December, A. D. 1861, recommending the passage of the Bill, with an amendment; which was ordered for consideration to-morrow.

Mr. McALILEY submitted the reports of the Committee on Finance and Banks

On the following reports of the Committee of Ways and Means, of the House of Representatives, (recommending concurrence :)

On the petition of James Brian, to be refunded a tax twice paid;

On the petition of Hiram Weeks, to be refunded excess of war tax;

On the petition of Robert A. Buchanan, to be refunded excess of war tax;

On the petition of Nathan Legare, to be refunded a double tax;

On the petition of James Thomson, administrator of Dabney Wansley, to be refunded a double tax;

On the petition of Daniel McJunkin, to be refunded a war tax improperly exacted; which were ordered for consideration to-morrow.

Mr. McALILEY also submitted the report of the Committee on Finance and Banks,

On a Bill to authorize the Banks of this State to purchase Confederate and State securities; and

On a Bill to refund to the Soldiers' Boards of Relief for Barnwell and Laurens Districts, and for St. Matthew's and Christ Church Parishes, moneys advanced and expended by them, as boards of relief, out of their private funds; which were ordered for consideration to-morrow.

Mr. McALILEY also submitted the report of the same Committee,

On the report of the Committee of Ways and Means, of the House of Representatives,

On a resolution directing the President of the Bank of the State of South Carolina to pay arrears of interest on Railroad bonds upon which is endorsed the guaranty of the State; which was ordered for consideration to-morrow.

Mr. GARLINGTON, from the Committee on the Military and Pensions, to which had been referred a Bill, from the House of Representatives, to amend, suspend and repeal certain portions of the militia laws of this State, reported, as a substitute therefor,

A Bill for the better organization of the militia, and for other purposes. The Bill received the first reading, and was ordered for a second reading to-morrow, and to be printed.

Mr. LAWTON submitted the report of the Committee on the Lunatic Asylum and Medical Accounts,

On a resolution in relation to closing a street in the City of Columbia; which was ordered for consideration to-morrow.

The Senate proceeded to the

### SPECIAL ORDER OF THE DAY FOR 1, P. M.,

The report of the Committee on the Judiciary,

On a Bill to continue in force "An Act to extend relief to debtors, and to prevent the sacrifice of property at public sales."

The report of the same Committee,

On a Bill to prevent the sacrifice of property at public sales in certain cases.

After some time spent thereon, on motion of Mr. RHETT, the Special Order was discharged, and the same subjects were made the Special Order for to-morrow, at 1, P. M.

Mr. W. D. JOHNSON gave notice that he will, to-morrow, ask leave to introduce

A Bill to suspend the 9th. section of an Act entitled "An Act to establish a separate Court of Appeals."

Mr. MOSES presented the petition of John Thompson Green, praying compensation for a slave lost in public service; which was referred to the Committee on Claims and Grievances.

Mr. LESESNE gave notice that he will, to-morrow, ask leave to introduce

A Bill to amend "An Act to authorize the City Council of Charleston to issue and put in circulation notes receivable in taxes or dues to the city," ratified the 21st day of December, A. D., 1861.

Mr. LESESNE presented the petition of Charles T. Mitchell and others, praying an Act of incorporation for the Palmetto Exporting and Importing Company; which was referred to the Committee on Incorporations and Engrossed Acts.

Message No. 2 of his Excellency the Governor, was received and read, and was referred to the Committee on the Military and Pensions, and is as follows:

## MESSAGE NO. 2.

## STATE OF SOUTH CAROLINA.

EXECUTIVE DEPARTMENT,  
Columbia, January 26th, 1863.

*Gentlemen of the Senate and House of Representatives:*

I transmit herewith copies of a communication from Mr. W. A. McSwain, together with certain letters and certificates, intended to show that Sergeant Horace A. McSwain, of Company K. (Spartan Rifles) Palmetto Sharpshooters, is entitled to the honor of having captured the flag of the Michigan Regiment, which, with others, was sent to your honorable bodies by Governor Pickens. In his Message on that subject, the name of the person entitled to the credit of capturing the Michigan flag is not given, as it would seem the name at that time was not known; and I now transmit the papers I have received in relation thereto, for such action as to you shall seem proper.

M. L. BONHAM.

Pursuant to notice, and with leave of the Senate, Mr. LESESNE introduced

A Bill to charter the Trading Company of the Confederate States; which received the first reading, and was referred to the Committee on Incorporations and Engrossed Acts.

The Senate proceeded to the

## GENERAL ORDERS OF THE DAY.

A Bill to vest the title of the State in certain escheated property in Rose Ann Carnighan and her heirs, received the second reading, was agreed to, and was sent to the House of Representatives.

The following reports of the Committee of Ways and Means, were concurred in, and returned to the House of Representatives:

On the petition of J. Patterson, as Commissioner in Equity for Barnwell District, to be refunded a war tax improperly paid;

On the petition of W. F. Robert, to be refunded a tax improperly paid;

On the petition of the Trustees of the Marine School of Charleston;

On the petition of Isaac N. Lenoir, to be refunded a war tax improperly paid;

On the petition of Peter Cox, to be refunded an amount of war tax overpaid;

On the petition of Reuben Smith, to be refunded a tax illegally paid;

On the petition of O. R. Broyles, to be refunded a double tax ;

On the petition of John M. Borland, to be refunded a war tax twice paid ;

On the petition of Martin Edwards, to be refunded a war tax improperly paid ;

On the petition of A. W. Dozier, to be refunded a tax improperly paid.

The favorable report of the same Committee,

On the petition of James N. Cochran, praying to be refunded a Confederate tax twice paid, was agreed to, and was sent to the House of Representatives for concurrence.

A Bill, from the House of Representatives, to grant aid to the Cheraw and Coal Fields Railroad Company, received the second reading, was agreed to, and was ordered to be returned to the House of Representatives.

The unfavorable report of the Committee on Agriculture and Internal Improvements,

On a resolution in relation to a supply of iron, was agreed to.

A Bill to amend an Act entitled "An Act to organize and supply negro labor for coast defence, in compliance with requisitions of the Government of the Confederate States, and to authorize and direct the Governor to proceed to furnish negro labor under said Act," being before the Senate, the Bill was read, and was then ordered to lie on the table, and the report of the Committee on the Military and Pensions,

On the report of the Special Committee of the House of Representatives, on negro labor, was taken up for consideration.

Mr. GARLINGTON, for the Committee, moved that the words, "do not concur in the report of the House of Representatives," be stricken out, and the following be substituted: "Adopt the Bill which is herewith reported as a substitute for the report and resolutions of the House."

Mr. FICKLING moved to amend the amendment, by striking out the words, "do not concur in said report," and insert, "do concur in the report and first resolution."

Mr. MAZYCK moved that this motion do lie on the table, and the same was carried.

The question recurring on the amendment, Mr. MAZYCK moved that it do lie on the table; which was decided in the negative.

The amendment recommended by the Committee was then agreed to. The Bill was then again taken up, but before the vote was taken, the Senate, on motion of Mr. RHETT, adjourned at 20 minutes to 4, P. M.



TUESDAY, JANUARY 27, 1863.

The Senate met at 12, M. Prayer by the Rev. Dr. Leland.  
The Clerk read the Journal of the proceedings of yesterday.

## ADDITIONAL SENATORS.

Hon. C. R. Boyle,	St. Paul's.
" J. C. McKewn,	St. James', Goose Creek.

appeared in their places in the Senate Chamber.

## PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate  
The report of the Committee on Commerce and Manufactures,  
On the resolution of the State of Florida, in relation to the manufacture of salt; which was referred to the Committee on Agriculture and Internal Improvements.  
The report of the Committee on Claims,  
On the account of P. B. Glass & Co., for stationery furnished the House of Representatives; which was referred to the Committee on Claims and Grievances.

## REPORTS OF COMMITTEES.

Mr. APPLEBY presented the report of the Committee on the Lunatic Asylum and Medical Accounts,

On the account of W. C. Freeman, for *post mortem* examination; which was ordered for consideration to-morrow.

Mr. E. G. PALMER presented the report of the Committee on Agriculture and Internal Improvements,

On a Bill, from the House of Representatives, to vest in the Confederate Government a part of the Columbia Canal for a term of twelve years; which was ordered for consideration to-morrow, and to be printed.

Mr. MOSES presented the report of the Committee on the Judiciary,

On a resolution to pay the Clerk of the House for extra services; which was ordered for immediate consideration, and the resolution was concurred in, and ordered to be returned to the House of Representatives; also,

Report of the same Committee,

On a resolution in relation to the books of the Ordinary's Court for Charleston District—certain records to be returned to the custody of

George Buist, Ordinary ; which was ordered for immediate consideration, and the resolution was concurred in, and ordered to be returned to the House of Representatives.

Mr. APPLEBY presented the report of the Committee on the Lunatic Asylum and Medical Accounts,

On a resolution instructing the Treasurer to pay a certain sum to Dr. A. N. Talley ; which was ordered for immediate consideration, and the resolution was agreed to, and ordered to be sent to the House of Representatives for concurrence.

Mr. ARTHUR submitted the reports of the Committee on Claims and Grievances,

On the petition of Jesse Jones, praying payment for ammunition furnished the State ;

On the petition of John T. Green, praying compensation for a slave lost in the public service ;

On the petition of Jesse Briggs, for payment for a slave who died from disease contracted in the public service ;

On the petition of J. S. Wells, for payment for a slave who died in the public service ;

On the petition of Philip Terry, for payment for a negro lost in the public service ;

On the petition of C. R. Harbin, for payment for a slave who died from disease contracted in the public service ;

On the petition of Joseph T. Baker, for payment for a slave lost in the public service ;

On the petition of Samuel Jordan, for compensation for a slave who died in the service of this State ;

On the petition of C. A. Saxon, for payment for a slave who died in the public service ;

On the petition of W. W. Culler, for payment for a slave who died from disease contracted in the public service ;

On the petition of William Young, for payment for a slave who died in the public service ;

On the petition of Thomas Lang, for payment for a slave who died in the public service ;

On the petition of Zachariah Hall, for payment for a slave who died from disease contracted in the public service ; which were ordered for consideration to-morrow.

Mr. ARTHUR also submitted the reports of the Committee on Claims and Grievances,

On the reports of the Committee on Claims, of the House of Representatives, (recommending concurrence,)

On the account of R. W. Gibbes, for printing;

On the claim of the Edgefield Advertiser, for printing;

On the account of Isaac H. Means, Secretary of State, for work done in his office in 1861;

On the account of P. B. Glass & Co., for stationery furnished to the House of Representatives;

On the account of Isaac H. Means, Secretary of State, for work done in his office in 1862;

On the account of J. M. Hunter, Sheriff of Darlington District, for removing prisoners;

On the account of E. R. Stokes, for binding;

On the account of Evans & Cogswell, for printing;

On the account of Elijah Hill, constable, for extra services;

On the account of the Barnwell Sentinel, for printing;

On the account of W. M. Conyers, Editor of the Lancaster Ledger, for public printing.

On the account of J. T. Hershman for printing; which were ordered for consideration to-morrow.

The Senate proceeded to the

### GENERAL ORDERS OF THE DAY.

The reports of the Committee on the Judiciary, on the following papers, were agreed to, and the Committee was discharged from the further consideration thereof, viz:

On the petition of W. B. Dingle, Sheriff of Charleston District, praying an increase for jail maintenance;

On the petition of sundry citizens of Edgefield District, praying that the jurisdiction of the Court of Ordinary be extended in certain respects;

On a resolution of a public meeting of Darlington C. H., memorializing for a restriction on the pardoning power;

On the petition of sundry citizens of Edgefield District, praying legislation against the grievance of slaves stealing articles of prime necessity.

The report of the Committee on Finance and Banks,

On the petition of James Brian, to be refunded a tax twice paid, was concurred in, and returned to the House of Representatives.

A Bill to amend an Act entitled an Act to make appropriations in aid of the families of soldiers, and to repeal an Act entitled "An Act to afford aid to the families of soldiers, ratified on the 21st day of December, A. D. 1861," received the second reading, was agreed to, and was ordered to be sent to the House of Representatives, having been first amended, on motion of Mr. HOPE, as follows:

“ And that the 7th section of the said Act be amended as follows :

That upon the organization of the respective Boards, they shall forthwith report the same to the Comptroller General, with the post-office address of the several officers of each Board.”

The Senate proceeded to the

#### SPECIAL ORDER OF THE DAY, FOR 1, P. M.

The report of the Committee on the Judiciary,

On a Bill to continue in force “ An act to extend relief to debtors, and to prevent the sacrifice of property at public sales.”

The report of the same Committee,

On a Bill to prevent the sacrifice of property at public sales in certain cases.

The Senate proceeded to the second reading of the first-named Bill.

Mr. THOMSON offered the following amendment, which was agreed to:

*And be it further enacted,* That all fines imposed by the Courts of Sessions and Common Pleas of this State be excepted from the operation of said Act, and that all such fines shall be collected as heretofore provided by law.

Mr. RHETT moved the following amendment:

*Provided,* That if any debtor shall create any general or special lien on his property, or shall assign or transfer the same, having been seized or possessed thereof at the date of the accrual of any creditor's right of action, or of the staying of his final process as provided for in said Act, whereby the final recovery and satisfaction of his claim may be defeated, impaired or delayed, every such lien, assignment or transfer shall be deemed, and is hereby declared to be, fraudulent, null and void; and such proceedings may be had against the parties thereto, as are provided by law for the prevention and punishment of fraud.

Mr. MAZYCK moved to amend the amendment, by inserting, after “ same,” in the fourth line, the following:

*Provided,* That nothing herein contained shall affect the validity of any *bona fide* sale for valuable consideration, such consideration not being a debt already due by the debtor.

Mr. BLAKENEY moved that the amendment, and the amendment to the amendment, do lie on the table; and the same was ordered.

Mr. FICKLING moved the following amendment:



Strike out all after the enacting clause, for the purpose of inserting the following :

1st. That the enforcement of all final process in any of the Courts of this State, and all foreclosures of mortgages of personal property, shall be stayed, except for the collection of interest against persons not in active service, during the continuance of the existing war between the Confederate States and the United States, and for six months thereafter.

2d. That if the plaintiff, in final process on the mortgage of personal property, shall make affidavit before some one of the Clerks of the Courts of Common Pleas and General Sessions of this State, that his debtor has absconded, or is about to abscond, or that such debtor is removing, or is about to remove, his property beyond the limits of this State, or is fraudulently disposing of the same, which affidavit shall be attached to such final process or mortgage, then he shall have all the remedies allowed by law prior to the twenty-first day of December, in the year of our Lord one thousand eight hundred and sixty-one, anything in this Act to the contrary notwithstanding, unless the debtor shall give sufficient security for the eventual payment of the debt.

3d. That the operation of the Statute of Limitations be, and the same is hereby, suspended during the period in which this Act is of force, in all actions of debt or contract.

4th. That while this Act remains in force, debts due on open accounts, and other demands not heretofore bearing interest by law, shall bear interest at the rate of seven per centum per annum.

5th. That the provisions of this Act shall not extend to common carriers, where they fail in their duty or liability as common carriers.

6th. That all Acts and parts of Acts repugnant to this Act be, and the same are hereby, repealed.

Mr. BLAKENEY moved that this amendment do lie on the table ; which was ordered to be decided by yeas and nays, and they are as follows :

Those who voted in the affirmative, are

Messrs. Beaty, Blakeney, Garlington, Harrison, Hart, Hope, W. D. Johnson, W. R. Johnson, Keitt, Lawton, Manning, Maxwell, McAliley, McCaw, E. H. Miller, J. W. Miller, Moses, E. G. Palmer, Sessions, Simkins, Simpson, Thomson, Ware, and Wortham.

Those who voted in the negative, are

Hon. W. D. PORTER, President ; and Messrs. Arthur, Boykin, Boyle, Ellis, Fickling, Hammond, Lesesne, Mazyck, McKewn, Murray, Oswald, Rhett, and Wilson.

In the affirmative, 24.

In the negative, 14.

The amendment was, therefore, ordered to lie on the table.

On the question of agreeing to the Bill, the yeas and nays were ordered to be taken, and they are as follows :

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; and Messrs. Beaty, Blakeney, Boyle, Garlington, Hammond, Harrison, Hart, Hope, W. R. Johnson, Keitt, Lawton, Manning, Maxwell, McAliley, McCaw, McKewn, E. H. Miller, J. W. Miller, Moses, Murray, Oswald, E. G. Palmer, Sessions, Simkins, Simpson, Thomson, Ware, and Wortham.

Those who voted in the negative, are

Messrs. Arthur, Boykin, Ellis, Fickling, W. D. Johnson, Lesesne, Mazyek, Rhett, and Wilson.

In the affirmative, 29.

In the negative, 9.

The Bill was, therefore, agreed to, and was sent to the House of Representatives.

A Bill (from the House of Representatives) to prevent the sacrifice of property at public sales, was then ordered to lie on the table.

Pursuant to notice, and with leave of the Senate, Mr. LESESNE introduced

A Bill to charter the Palmetto Exporting and Importing Company; which received the first reading, and was referred to the Committee on Incorporations and Engrossed Acts.

Leave of absence was granted to the Senator from Prince William's, on and after to-morrow, on account of severe indisposition.

Mr. WARE gave notice that he will, to-morrow, ask leave to introduce

A Bill to provide for a guaranty by the State of the bonds of the Confederate States.

Mr. ARTHUR presented the report of the Committee on Claims and Grievances,

On the report of the Committee on Claims, of the House,

On a resolution of inquiry in relation to the payment for slaves lost in the service of the State; which was ordered for consideration to-morrow, and to be printed.

On motion of Mr. WILSON, it was

*Ordered*, That when the Senate adjourns, it shall stand adjourned to meet to-morrow, at 11, A. M.

Mr. W. D. JOHNSON presented the petition of R. L. Hart, praying compensation for a slave who died of disease contracted in the public service; which was referred to the Committee on Claims and Grievances.

Pursuant to notice, and with leave of the Senate, Mr. W. D. JOHNSON also introduced

A Bill to suspend the ninth section of an Act entitled "An Act to establish a separate Court of Appeals;" which received the first reading, and was referred to the Committee on the Judiciary.

Mr. OSWALD presented the account of the Clerk of the Senate, for stationery at the extra session; which was referred to the Committee on Claims and Grievances.

Mr. SIMKINS presented the petition of the Beach Island Farmers' Club, praying legislative protection to the growth of wool, and especially by the imposition of a tax on dogs; which was referred to the Committee on Agriculture and Internal Improvements.

Mr. LESESNE presented the petition of Mary Schultz, Administratrix of John C. Schultz, praying that the excess of the war tax on her intestate's estate, improperly exacted and paid, be refunded; which was referred to the Committee on Finance Banks.

Pursuant to notice, and with leave of the Senate, Mr. LESESNE introduced

A Bill to amend an Act entitled "An Act to authorize the City Council of Charleston to issue and put in circulation notes receivable in taxes or dues to the City," ratified the twenty-first day of December, in the year of our Lord one thousand eight hundred and sixty-one; which received the first reading, and was referred to the Committee on Finance and Banks, and was ordered to be printed.

Mr. ELLIS presented the petition of T. W. Gillison, to be paid for three negroes lost in the public service; which was referred to the Committee on Claims and Grievances.

Mr. W. R. JOHNSON presented the petition of George C. James, asking compensation for a slave lost in working on the fortifications near Charleston, under impressment; which was referred to the Committee on Claims and Grievances.

On motion of Mr. WILSON, the report of the Committee of Ways and Means,

On the petition of the Trustees of the Marine School of Charleston, was reconsidered, and was then ordered to lie on the table.

The Senate resumed the

#### GENERAL ORDERS OF THE DAY.

A Bill to amend an Act entitled "An Act to organize and supply negro labor for coast defence, in compliance with requisitions of the Government of the Confederate States," and to authorize and direct the Governor to

proceed to furnish negro labor under said Act, received the second reading, was agreed to, and was ordered to be sent to the House of Representatives.

A Bill to prevent and punish the planting and cultivating in this State over a certain quantity of cotton during the war with the Abolitionists, being before the Senate, on the second reading,

Mr. FICKLING offered the following amendment, as a proviso to the 1st section:

*Provided*, That nothing herein shall extend to those persons who have removed their negroes from the neighborhood of the coast, to protect them from the enemy, or by the military authority, and those who own no negroes employed in the culture of cotton.

This amendment was rejected.

Mr. HARRISON successively offered the following amendments, which were agreed to:

In 2d section, strike out all after the word "specified," in 6th line, and insert, "such penalty to be paid to the Soldiers' Board of Relief of the District where such conviction takes place."

SEC. 3. That after warrant is issued against any person or persons, for a violation of this Act, it shall be the duty of the Clerk of the Court of General Sessions and Common Pleas for the District in which the offence is charged, upon the application, under oath, of either party, prosecutor or defendant, to issue a rule of survey in the case, giving five days' notice thereof to the opposite party; the cost of such rule and survey to be taxed in the bill of costs upon the final adjudication of the case.

Mr. THOMSON offered the following amendment to the 4th section:

Strike out all after "during said war," and insert the following: "Under a penalty of one hundred dollars for each hand, to be recovered as specified in the former sections of this Act."

Mr. MAZYCK moved to amend the amendment, by striking out the 4th section of the Bill, which is as follows:

SEC. 4. That all owners of slaves or employees shall give in, on oath, to the tax collector the number of hands owned or employed by them between the ages of twelve and fifteen, and fifteen and fifty-five, and fifty-five and sixty-five, each year during said war, and for a false return herein, he, she or they, shall be subject to all the pains and penalties of perjury.

On the question of agreeing thereto, the yeas and nays were ordered, and they are as follows:

Those who voted in the affirmative, are



Messrs. Arthur, Boykin, Fickling, Harrison, Hope, Houser, W. R. Johnson, Keitt, Lesesne, Manning, Mazyck, E. H. Miller, Moses, Rhett, Simpson, Ware, and Wilson.

Those who voted in the negative, are

Hon. W. D. PORTER, President; and Messrs. Appleby, Beaty, Blakeney, Boyle, Garlington, Hammond, Hart, W. D. Johnson, Lawton, Maxwell, McAliley, McCaw, McKewn, J. W. Miller, Murray, Oswald, E. G. Palmer, Sessions, Simkins, Thomson, and Wortham.

In the affirmative, 17.

In the negative, 22.

The amendment to the amendment was, therefore, not agreed to.

The amendment was then agreed to.

On the question of agreeing to the Bill, the yeas and nays were ordered to be taken, and they are as follows :

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; and Messrs. Appleby, Beaty, Blakeney, Boyle, Garlington, Hammond, Harrison, Hart, Houser, W. D. Johnson, W. R. Johnson, Keitt, Lawton, Maxwell, McAliley, McCaw, McKewn, J. W. Miller, Murray, Oswald, E. G. Palmer, Sessions, Simkins, Simpson, Thomson, Ware, and Wortham.

Those who voted in the negative, are

Messrs. Boykin, Bull, Fickling, Hope, Lesesne, Manning, Mazyck, E. H. Miller, Moses, Rhett, and Wilson.

In the affirmative, 28.

In the negative, 11.

The Bill was, therefore, agreed to, and ordered to be sent to the House of Representatives.

The following message was received from the House of Representatives, and was ordered to lie on the table :

#### HOUSE OF REPRESENTATIVES, January 27, 1863.

*Mr. President, and Gentlemen of the Senate :*

The House respectfully proposes to rescind the resolution to adjourn on Friday next.

By order of the House,

A. P. ALDRICH, *Speaker.*

Mr. WILSON offered the following preamble and resolution, which were ordered for consideration to-morrow :

Whereas the Superintendent of Labor has, under the instructions of the Governor, and in conformity with the official opinion of the Attorney Gen-

eral, published a declaration that the Act of this General Assembly, passed on the 18th day of December, 1862, providing for the supply of slave labor to the Confederate military authorities in the State of South Carolina, is inoperative, and has issued his call upon certain Districts of this State for their alleged quota thereof, under the authority of certain resolutions of the late Executive Council; therefore, be it

*Resolved*, That, in the opinion of the Senate, the Act of the 18th December, 1862, is now the law of the land, and no impressment of labor is legal which is not made in accordance with its provisions.

On motion of Mr. HOPE, the Senate adjourned at half-past 4, P. M.

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### WEDNESDAY, JANUARY 28, 1863.

The Senate met 11, A. M., pursuant to adjournment. Prayer by the Rev. Mr. Boyce.

The Clerk read the Journal of the proceedings of yesterday.

### ADDITIONAL SENATOR.

Hon. W. G. Roberds,                      St. Peter's,  
appeared in his seat in the Senate Chamber.

### PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate,

The report of the Committee on Claims,

On the petition of William Lindsay, for services rendered; which was referred to the Committee on Claims and Grievances;

And also the following Bills:

A Bill to establish and re-charter certain roads, bridges and ferries, and for other purposes; and

A Bill to incorporate the Edisto and Ashley Canal Company. The Bills severally received the first reading, and the first was referred to the Committee on Roads and Buildings, and the second to the Committee on Incorporations and Engrossed Acts.

Pursuant to notice, and with leave of the Senate, Mr. WARE introduced

A Bill to provide for a guaranty by the State of the bonds of the Confederate States; which received the first reading, and was referred to the Committee on Finance and Banks, and was ordered to be printed.

## REPORTS OF COMMITTEES.

Mr. ARTHUR presented the report of the Committee on Claims and Grievances,

On the account of the Clerk of the Senate, for stationery at the present session; which was ordered for immediate consideration, was agreed to, and ordered to be sent to the House of Representatives for concurrence.

Mr. LAWTON presented the report of the Committee on the Lunatic Asylum and Medical Accounts,

On a communication addressed to his Excellency the Governor, on the subject of vaccination; which was ordered for consideration to-morrow.

Mr. W. R. JOHNSON presented the report of the same Committee,

On the report of the Medical Committee, of the House,

On the account of Dr. F. M. Munro, for attending a prisoner in jail; which was ordered for consideration to-morrow.

Mr. GARLINGTON presented the report of the Committee on the Military and Pensions,

On so much of the Governor's Message as relates to questions arising in the service of the two companies of mounted Rifles, and the accompanying report of the Adjutant and Inspector General on the same subject;

On the petition of the 8th Regiment of Reserves, asking to be relieved from duty at the expiration of their term of service;

On a resolution of the House of Representatives, on the subject of an agency at Richmond for the assistance of South Carolina soldiers, and so much of Message No. 1 of his Excellency Governor Bonham as relates to the same subject; which were ordered for consideration to-morrow.

Mr. WARE presented the report of the Committee on Incorporations and Engrossed Acts,

On a memorial of sundry citizens of Charleston, praying an Act incorporating the Trading Company of the Confederate States; and also,

A Bill to charter the Trading Company of the Confederate States; which was ordered for consideration to-morrow, and the Bill was ordered to be printed.

On motion of Mr. MAZYCK, the message from the House of Representatives, proposing to rescind the resolution for the adjournment of the General Assembly on the 30th inst., was taken from the table, and a message of concurrence was returned.

Mr. MAZYCK also offered the following resolution ; which was agreed to, and sent to the House of Representatives for concurrence :

*Resolved*, That this General Assembly will adjourn, *sine die*, on Tuesday, the 3d day of February, at 5 o'clock, P. M.

Mr. GARLINGTON submitted the following resolution, which was considered, and was not agreed to :

*Resolved*, That when the daily Calendar is taken up, the reports and resolutions shall be called, in preference to the Bills, for one hour, if so much be necessary, or until the same are disposed of, if no objection be made.

The Senate proceeded to the

#### GENERAL ORDERS OF THE DAY.

A Bill to prohibit extortion and punish extortioners, was ordered to be placed in the General Orders of the Day for to-morrow ;

A Bill to declare the law in relation to the proceedings of the Executive Council, received the second reading, was agreed to, and sent to the House of Representatives ; and the report of the Joint Special Committee, reporting the same, was also agreed to, and sent to the House of Representatives for concurrence.

A Bill to authorize the Banks of this State to purchase Confederate and State securities ; and

A Bill to refund to the Soldiers' Boards of Relief for Barnwell and Laurens Districts, and for St. Matthew's and Christ Church Parishes, moneys advanced and expended by them, as Boards of Relief, out of their private funds, received the second reading, were agreed to, and sent to the House of Representatives.

The unfavorable report of the Committee on the Lunatic Asylum and Medical Accounts,

On the report of the Medical Committee, of the House of Representatives,

On the Account of Dr. W. C. Freeman, for a *post mortem* examination, was agreed to, and the report of the Committee of the House was rejected.

The report of the Committee on the Lunatic Asylum and Medical Accounts,

On a resolution in relation to closing a street in the City of Columbia, was agreed to, and the Committee was discharged from the further consideration of the subject.



The following reports of the Committee on Claims and Grievances were agreed to, and were sent to the House of Representatives for concurrence :

On the petition of Jesse Jones, praying payment for ammunition furnished the State ;

On the petition of John T. Green, praying compensation for a slave lost in the public service ;

On the petition of Jesse Briggs, for payment for a slave who died from disease contracted in the public service ;

On the petition of J. S. Wells, for payment for a slave who died in the public service ;

On the petition of Philip Terry, for payment for a negro lost in the public service ;

On the petition of C. R. Harbin, for payment for a slave who died from disease contracted in the public service ;

On the petition of Jos. T. Baker, for payment for a slave lost in the public service ;

On the petition of Samuel Jordan, for compensation for a slave who died in the service of this State ;

On the petition of C. A. Saxon, for payment for a slave who died in the public service ;

On the petition of W. W. Culler, for payment for a slave who died from disease contracted in the public service ;

On the petition of William Young, for payment for a slave who died in the public service ;

On the petition of Thomas Lang, for payment for a slave who died in the public service ;

On the petition of Zachariah Hall, for payment for a slave who died from disease contracted in the public service.

The following were concurred in, and returned to the House of Representatives :

Reports of the Committee of Ways and Means, of the House of Representatives,

On the petition of Hiram Weeks, to be refunded an excess of war tax ;

On the petition of Robert A. Buchanan, to be refunded an excess of war tax ;

On the petition of Nathan Legare, to be refunded a double tax ;

On the petition of James Thomson, Administrator of Dabney Wansley, to be refunded a double tax ;

On the petition of Daniel McJunkin, to be refunded a war tax improperly paid ;

A resolution directing the President of the Bank of the State of South Carolina to pay arrears of interest on railroad bonds upon which is endorsed the guaranty of the State.

The following reports of the Committee on Claims, of the House of Representatives, were concurred in, and returned :

On the account of R. W. Gibbes, for printing ;

On the claim of the Edgefield Advertiser, for printing ;

On the account of Isaac H. Means, Secretary of State, for work done in his office in 1861 ;

On the account of P. B. Glass & Co., for stationery furnished to the House of Representatives ;

On the account of Isaac H. Means, Secretary of State, for work done in his office in 1862 ;

On the account of J. M. Hunter, Sheriff of Darlington District, for removing prisoners ;

On the account of E. R. Stokes, for binding ;

On the account of Evans & Cogswell, for printing ;

On the account of Elijah Hill, constable, for extra services ;

On the account of the Barnwell Sentinel, for printing ;

On the account of W. M. Conyers, Editor of the Lancaster Ledger, for public printing ;

On the account of J. T. Hershman, for printing.

The report of the Committee on Claims and Grievances,

On the report of the Committee on Claims, of the House of Representatives,

On a resolution of inquiry in relation to the payment for slaves lost in the service of the State, was agreed to, and, pursuant to the recommendation of the Committee, a message was sent to the House of Representatives, proposing the following resolutions, in lieu of those recommended by the Committee of the House of Representatives :

*Resolved*, That it is the opinion of this General Assembly, that it is proper and just that the State should compensate the owners of slaves taken by the authority of the State for the public service, who have died from diseases contracted in said service, and whose death or loss has been occasioned by reason of such service.

*Resolved*, That James Tupper, Esq., Auditor of Claims, be required to procure certified copies of the evidence before the Legislature in all cases of the character indicated by the foregoing resolution, which may be acted upon favorably during the present session of this Legislature, together with such additional evidence as may be necessary, and present such claims, with the evidence, to the Confederate Congress, or such Court of Claims as may

be established for the consideration of the same ; also, that the said James Tupper do procure, as soon as practicable, information as to the character and forms of evidence which may be required by the Confederate Government for the future use of this Legislature ; and that, after such information has been obtained and published, all future applications to the Legislature for compensation for negroes lost in the public service, shall be required to conform thereto.

The Senate proceeded to the consideration of a preamble and resolution offered by the Senator from Prince George, Winyah, in relation to the impressment of labor under the Act of 1862.

Mr. MOSES moved to amend the resolution, by inserting, after the word "labor," the following: "by State authority."

Mr. MAZYCK moved that the amendment do lie on the table, which was decided in the negative, and the amendment was then agreed to.

Mr. MAZYCK then moved that the resolution, as amended, do lie on the table, which was ordered to be decided by yeas and nays, and they are as follows :

Those who voted in the affirmative, are

Messrs. Arthur, Boykin, Bull, Garlington, Hammond, Harrison, Hope, Houser, W. D. Johnson, Lawton, Lesesne, Maxwell, Mazyck, McKewn, E. H. Miller, J. W. Miller, Murray, Roberds, Sessions, Simpson, Thomson, and Ware.

Those who voted in the negative, are

Hon. W. D. PORTER, President ; and Messrs. Appleby, Beaty, Blakeney, Boyle, Fickling, Hart, W. R. Johnson, Keitt, Manning, McAliley, McCaw, Moses, Oswald, Rhett, and Wilson.

In the affirmative, 22.

In the negative, 16.

The resolution was, therefore, ordered to lie on the table.

The General Orders were disposed of.

The House of Representatives sent to the Senate the following papers :  
The report of the Committee on the Military,

On Message No. 2 of the Governor, in relation to the Michigan flag ; which was referred to the Committee on the Military and Pensions.

A Bill to provide for a guaranty by the State of the bonds of the Confederate States ; which received the first reading, and was referred to the Committee on Finance and Banks ;

A Bill for the appointment of Commissioners of the Poor for Lancaster District ; which received the third reading, and it was

*Resolved*, That the Bill do pass ; that the title thereof be changed ; and that it be called an Act.

*Ordered*, That it be sent to the House of Representatives.

A Bill to grant the aid of the State to the Cheraw and Coal Fields Railroad Company ; which received the third reading, and it was

*Resolved*, That the Bill do pass ; that the title thereof be changed ; and that it be called an Act.

*Ordered*, That it be returned to the House of Representatives.

A Bill for the better organization of the Militia, and for other purposes, was, on motion of Mr. GARLINGTON, made the Special Order of the Day for to-morrow, at 12 o'clock, M.

Mr. LESESNE offered the following resolution, which was considered, and agreed to, and the Committee was instructed accordingly :

*Resolved*, That it be referred to the Committee on Agriculture and Internal Improvements, to inquire and report whether any, and what, legislation is advisable to prevent the exportation of grain from the State, with leave to report by Bill.

On motion of Mr. ARTHUR it was

*Ordered*, That when the Senate adjourn, it shall stand adjourned to meet to-morrow at 11 o'clock, A. M.

The PRESIDENT laid before the Senate the report of the Solicitor of the Middle Circuit, on the condition of the offices of Clerk, Sheriff, Ordinary, and Commissioner in Equity, in the several Districts comprised in his Circuit ; which was referred to the Committee on the Judiciary.

On motion of Mr. BEATY, the Senate adjourned at 3 o'clock, P. M.



THURSDAY, JANUARY 29, 1863.

The Senate met at 11, A. M., pursuant to adjournment. Prayer by the Rev. Mr. Efrid.

The Clerk read the journal of the proceedings of yesterday.

## PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate,

A Bill to refund to the Soldiers' Boards of Relief for Barnwell and Laurens Districts, and for St. Matthew's and Christ Church Parishes, moneys advanced and expended by them, as Boards of Relief, out of their private funds; which received the third reading, and it was

*Resolved*, That the Bill do pass; that the title thereof be changed; that it be called an Act.

*Ordered*, That it be returned to the House of Representatives.

The report of the Committee on Offices and Officers,

On nominations for Soldiers' Boards of Relief; which was referred to the Committee on Accounts and Vacant Offices.

The House of Representatives sent to the Senate the following Bills; which received the first reading, and were referred to the Committee on Incorporations and Engrossed Acts:

A Bill to incorporate certain Religious and Charitable Societies, and to renew and amend the charters of others heretofore granted; and

A Bill to charter the Atlantic Steam Packet Company of the Confederate States.

The House of Representatives also sent to the Senate,

The report of the Committee on Education, to whom was recommitted the report on Message No. 4 of his Excellency the Governor, relating to the South Carolina College; which was referred to the Committee on the College, Education and Religion.

The House of Representatives also sent to the Senate the following Bills, which received the first reading, and were referred as follows:

A Bill to alter and amend an Act entitled "An Act concerning the office and duties of Ordinary," passed in the year of our Lord one thousand eight hundred and thirty-nine; and

A Bill to exempt from legal penalty, for not making their annual returns, all Guardians, Administrators, Executors, &c., in Confederate service; to the Committee on the Judiciary.

A Bill to charter the "Palmetto Exporting and Importing Company;" to the Committee on Incorporations and Engrossed Acts.

A Bill to provide for the appointment of Commissioners of the Poor for Darlington District; to the Committee on Accounts and Vacant Offices.

A Bill to enable citizens of the State who are engaged in military service to exercise the rights of suffrage; to the Committee on Privileges and Elections;

A Bill to authorize the issue of Stock for the purpose of continuing the construction of the New State House; to the Committee on Finance and Banks.

Mr. HOPE presented the petition of Edward Kinsler, of Lexington District, praying compensation for a slave who died from disease contracted whilst in the service of the State; which was referred to the Committee on Claims and Grievances.

Mr. GARLINGTON presented the petition of Micajah Harris, praying compensation for a slave who died in the service of the State; which was referred to the Committee on Claims and Grievances.

Mr. WARE, from the Committee on Accounts and Vacant Offices, reported the office of State Reporter vacant; whereupon,

On motion of Mr. MOSES, a message was sent to the House of Representatives, proposing to that House to enter into a joint ballot to fill the vacancy at 1, P. M., to-morrow.

### REPORTS OF COMMITTEES.

Mr. MOSES submitted the report of the Committee on the Judiciary,

On a Bill to repeal the ninth section of an Act to establish a separate Court of Appeals, recommending the passage of the Bill, with amendments; which was ordered for consideration to-morrow, and to be printed.

Mr. McALILEY presented the report of the Committee on Finance and Banks,

On a Bill, from the House of Representatives, to provide for a guaranty by the State of the bonds of the Confederate States, recommending its passage;

And the report of the same Committee,

On a Bill to amend an Act entitled "An Act to authorize the City Council of Charleston to issue and put in circulation notes receivable in taxes and dues to the city," ratified on the 21st day of December, A. D. 1861, recommending its passage; and

The report of the Committee on Finance and Banks, on the amendments by the House of Representatives, to

A Bill to authorize the Banks of this State to issue small notes, recommending that the Bill do not pass; which were ordered for consideration to-morrow.

Mr. WARE submitted the favorable report of the Committee on Incorporations and Engrossed Acts,

On a Bill to charter the Palmetto Exporting and Importing Company; which was ordered for consideration to-morrow.

The following reports of the Committee on the Military and Pensions, were submitted:

By Mr. OSWALD:

On the report of the Military Committee, of the House of Representatives, in reference to the purchase of a limited number of copies of Mahan's work on permanent fortifications.

By Mr. GARLINGTON:

On the petition of Francis M. Mellett and J. H. McKnight, praying relief in the matter of the elections held in the Eighth Regiment of Reserves; and also,

On the report of the Committee on the Military, of the House of Representatives,

On a resolution as to Morse's patent breech-loading carbine; and also,

On the petition of citizens of Darlington, asking the disbanding of a Militia Beat Company.

By Mr. THOMSON:

On Message No. 12 of his Excellency Governor Pickens, in relation to the appointment of some one to record the names of those who have fallen in the service of their country.

By Mr. GARLINGTON:

On a resolution, from the House of Representatives, on the petition of Asa George, praying aid in the construction of a revolving gun.

By Mr. HARRISON:

On so much of the Message No. 1 of his Excellency Governor Pickens as refers to the State Works at Greenville C. H.

By Mr. HARRISON:

On the report of the Committee on the Military, of the House of Representatives, on the Annual Report of the Board of Visitors of the State Military Academies.

By Mr. SIMKINS:

On a resolution in relation to the present war, transmitted by the State of Florida.

The reports were ordered for consideration to-morrow; and the reports referring to the State Works at Greenville, and the resolutions from the State of Florida, were ordered to be printed.

The following Bills received the third reading, and it was

*Resolved*, That the Bills do pass; that the titles thereof be changed; that they be called Acts.

*Ordered*, That they be sent to the House of Representatives, viz :

A Bill to alter and amend the charter of the Bank of Charleston, S. C. ;

A Bill to increase the fees of Sheriffs for dieting persons confined in jail ;

A Bill to provide against dearths of salt.

The House of Representatives returned to the Senate

An Act for the appointment of Commissioners of the Poor for Lancaster District; which was referred to the Committee on Incorporations and Engrossed Acts.

The Senate proceeded to the

#### SPECIAL ORDER FOR 1, P. M.

A Bill for the better organization of the Militia, and for other purposes ; which was ordered for a second reading.

Mr. McALILEY offered the following amendment to the end of the thirteenth section :

And each person, not in military service, who shall have an overseer now or heretofore exempted, shall deliver to the Board of Relief for the District in which said person may reside, ten bushels of corn for each working hand under said overseer.

Mr. MOSES moved that the amendment do lie on the table ; which was ordered to be decided by yeas and nays, and they are as follows :

Those who voted in the affirmative, are

Hon. W. D. PORTER, President ; and Messrs. Arthur, Beaty, Blakeney, Boykin, Boyle, Fickling, Garlington, Hammond, Harrison, Hope, Houser, W. R. Johnson, Keitt, Lawton, Lesesne, Manning, Mazyek, McCaw, E. H. Miller, J. W. Miller, Moses, Murray, Oswald, Rhett, Roberds, Sessions, Simkins, Thomson, Ware, and Wilson.

Those who voted in the negative, are

Messrs. Appleby, W. D. Johnson, Maxwell, McAliley, and Wortham.

In the affirmative, 31 ;

In the negative, 5.

The amendment was, therefore, ordered to lie on the table.

Mr. McALILEY also offered the following amendment to the end of 13th section :

That all exemptions heretofore granted under the Ordinance of the Convention of this State to persons under the age of forty years, as overseers,



be, and the same are hereby, revoked, and hereafter no exemption shall be granted under the provisions of this Act to any person under the age of forty years.

Mr. MOSES moved that the amendment do lie on the table, which was ordered to be decided by yeas and nays, and they are as follows :

Those who voted in the affirmative, are

Messrs. Arthur, Blakeney, Boykin, Boyle, Fickling, Garlington, Harrison, Hope, Houser, Lawton, Lescene, Manning, Mazyck, McCaw, E. H. Miller, J. W. Miller, Moses, Murray, Oswald, Roberds, Thomson, and Wilson.

Those who voted in the negative, are

Hon. W. D. PORTER, President ; and Messrs. Beaty, W. D. Johnson, W. R. Johnson, Keitt, Maxwell, McAliley, E. G. Palmer, Rhett, Simkins, Ware, and Wortham.

In the affirmative, 22 ;

In the negative, 12.

The amendment was, therefore, ordered to lie on the table.

Mr. THOMSON offered the following amendment, which was considered, and agreed to :

Strike out "contiguous," and after "plantations," insert, "not further apart than five miles, and having between them fifteen working hands."

The reading of the Bill was concluded, it was agreed to, and sent to the House of Representatives.

Message No. 3 from his Excellency the Governor was communicated to the Senate, and was referred to the Committee on Finance and Banks, and is as follows :

### MESSAGE NO. 3.

#### STATE OF SOUTH CAROLINA.

EXECUTIVE DEPARTMENT,  
Columbia, January 29th, 1863.

*Gentlemen of the Senate and House of Representatives :*

In accordance with the joint resolutions of the General Assembly, passed on the 18th day of December, A. D. 1862, authorizing the Governor to make a contract with certain persons therein named, I have to communicate that I made such contract on the 2d day of January inst. I call your attention to the necessity of providing by Act the means requisite to enable the Governor to comply with the terms of the contract in the alternative, as stipulated in the resolutions.

I also transmit copies of a communication from Mr. James Tupper, State Auditor, made at my instance, containing "estimates of expenditures;" of "present available means under control of the Executive;" and of "resources to meet deficiencies," the recommendations of which I adopt, and ask your favorable consideration of the same.

M. L. BONHAM.

Mr. FICKLING offered the following resolution; which was considered, and agreed to, and ordered to be sent to the House of Representatives for concurrence:

*Resolved*, That each member of the Commission on the Code of the Statute Law, be allowed five dollars per diem while in actual session, and mileage from home to the place of meeting or meetings, and returning, to be paid by the Bank of the State, and placed to the charge of the State.

Mr. FICKLING also presented the following petitions, viz:

The petition of W. B. Means, for payment for fodder furnished to the army;

The petition of Henry McKee, for payment for corn furnished to the army; which were referred to the Committee on Claims and Grievances.

The Senate proceeded to the

#### GENERAL ORDERS OF THE DAY.

The following papers were ordered to be placed in the General Orders of the Day for to-morrow:

The report of the Committee on Agriculture and Internal Improvements, On a Bill, from the House of Representatives, to vest in the Confederate Government a part of the Columbia Canal for a term of twelve years.

Reports of the Committee on the Military and Pensions,

On so much of the Governor's Message as relates to questions arising in the service of the two companies of Mounted Rifles, and the accompanying report of the Adjutant and Inspector General on the same subject;

On the resolution of the House of Representatives on the subject of an agency at Richmond for the assistance of South Carolina soldiers, and so much of Message No. 1 of his Excellency Governor Bonham as relates to the same subject;

The report of the Committee on Incorporations and Engrossed Acts,

On a memorial of sundry citizens of Charleston, praying an Act incorporating the "Trading Company of the Confederate States;" and also,

A Bill to charter the "Trading Company of the Confederate States."

The report of the Committee on the Military and Pensions, in relation to the agency at Richmond to aid our soldiers, &c., was ordered to be printed.

The report of the Committee on the Judiciary,

On a Bill to prohibit extortion and punish extortioners, was made the Special Order of the Day for to-morrow, at 1, P. M., and was ordered to be printed.

The report of the Medical Committee, of the House of Representatives,

On the account of Dr. F. M. Munro, for attending prisoners in jail, was concurred in, and returned to the House of Representatives.

The report of the Committee on the Lunatic Asylum and Medical Accounts,

On a communication addressed to his Excellency the Governor, on the subject of vaccination; and

On the petition of the 8th Regiment of Reserves, asking to be relieved from duty at the expiration of their term of service; were agreed to by the Senate.

The General Orders were disposed of, and,

On motion of Mr. MAZYCK, the Senate adjourned at 3, P. M.

## FRIDAY, JANUARY 30, 1863.

The Senate met at 12, M. Prayer by the Rev. Mr. Breaker.

The Clerk read the Journal of the proceedings of yesterday.

The House of Representatives sent to the Senate the following message:

HOUSE OF REPRESENTATIVES, January 29, 1863.

*Mr. President, and Gentlemen of the Senate:*

The House respectfully concurs with the Senate, to go into an election for State Reporter to-morrow, at twelve o'clock, M.

By order of the House,

A. P. ALDRICH, *Speaker*.

The Senate thereupon joined the House in a ballot.

Messrs. Rhett and Roberds were appointed the Committee, on the part of the Senate, to count the ballots.

## PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate,

The report of the Committee on the Lunatic Asylum,

On the report of the Regents of the Lunatic Asylum, with resolutions; which was referred to the Committee on the Lunatic Asylum and Medical Accounts.

A Bill to alter and amend the third section of an Act entitled "An Act to charter a Cotton Planters' Loan Association; which received the first reading, and was referred to the Committee on Incorporations and Engrossed Acts.

Resolution requesting the military authorities to remove their offices from the Charleston Court House; which was referred to the Committee on Roads and Buildings.

The report of the Medical Committee,

On the account of Dr. Thomas P. Rawls, for a *post mortem* examination; which was referred to the Committee on the Lunatic Asylum and Medical Accounts.

The report of the Committee on the Military,

On a resolution to inquire and report as to the necessity of having a portion of the arms and ammunition for Horry District transferred from Horry Court House to the village of Little River; which was ordered for immediate consideration, was concurred in, and ordered to be returned to the House of Representatives.

Mr. McALILEY submitted the following reports of the Committee on Finance and Banks:

On the report of the memorial of John Townsend and others, members of the Central Association for the relief of the soldiers of South Carolina;

On the petition of David Ramsay, Administrator of Eleanor Ramsay, praying relief from a tax execution on property destroyed by the Confederate States.

Mr. WARE submitted the report of the Committee on Accounts and Vacant Offices,

On a Bill, from the House of Representatives, to provide for the appointment of Commissioners of the Poor for Darlington District; which were ordered for consideration to-morrow; and also,

The report of the same Committee,

On the report of the Committee on Vacant Offices, of the House of Representatives, submitting nominations of Commissioners of the Boards of Soldiers' Relief, recommending concurrence, with the following amendments:

*For Horry District.*—J. W. Beaty, vice S. M. Anderson.

*For St. Helena Parish,* by adding—H. M. Stuart, J. O. Rhodes, F. F. Sams, C. E. Bell, Wm. Chisolm.



The report was ordered for immediate consideration, was agreed to, and a message was sent to the House of Representatives, asking leave to amend the report accordingly.

Mr. WARE submitted the report of the Committee on Incorporations and Engrossed Acts,

On a Bill, from the House of Representatives, to charter the Palmetto Exporting and Importing Company, which was ordered for consideration to-morrow; and the report of the same Committee,

On a Bill to charter the Atlantic Steam Packet Company of the Confederate States; which was placed in the General Orders for this day.

Mr. HOPE submitted the report of the Committee on Roads and Buildings,

On a Bill, from the House of Representatives, to establish certain roads, bridges and ferries, recommending its passage, with amendments. The report having been ordered for immediate consideration, the Bill received the second reading, was agreed to, and was returned to the House of Representatives.

Mr. ARTHUR presented the report of the Committee on Claims and Grievancies,

On the report of the Committee on Claims, of the House of Representatives, on the following papers, which were ordered for consideration to-morrow:

On the petition of William Lindsay, for services rendered;

On the account of P. B. Glass & Co., for stationery furnished the House of Representatives;

On the petition of Thos. Williams, praying to be paid for property destroyed on Sullivan's Island by order of the military authorities; also,

The report of the same Committee, on the following papers:

The petition of R. L. Hart, praying compensation for a slave who died of a disease contracted in the public service;

The petition of William B. Means, praying compensation for fodder furnished the army;

The petition of T. W. Gillison, for three negroes lost in the public service;

The petition of Henry McKee, praying compensation for corn furnished the army;

The petition of N. W. Heyward, to be paid for negroes lost while in public service; which were ordered for consideration to-morrow.

Leave of absence for the remainder of the session, after this day, was granted to Mr. LAWTON, on account of illness in his family.

Mr. THOMSON presented the petition of Andrew Giles, praying to be refunded a Confederate tax twice paid; which was referred to the Committee on Finance and Banks.

Message No. 4 from his Excellency the Governor was communicated to the Senate, and was referred to the Committee on the Military and Pensions, and is as follows:

### MESSAGE No. 4.

#### STATE OF SOUTH CAROLINA.

EXECUTIVE DEPARTMENT,  
Columbia, January 30, 1863.

*Gentlemen of the the Senate and House of Representatives :*

Since sending in my last communication, I have received from Major John R. Niernsee, of the Engineers, a very interesting report, a copy of which is herewith transmitted.

The Executive and Council having had Legislative as well as Executive powers, I deem it proper to refer this report at once to the General Assembly, and ask your early attention to the important matters therein contained.

M. L. BONHAM.

The Senate proceeded to the

#### SPECIAL ORDER OF THE DAY FOR 1, P. M.

A Bill to prohibit extortion and punish extortioners.

The following amendments were offered and agreed to :

By Mr. MAZYCK, to end of second section :

*Provided*, That it shall not be lawful for any person who shall have purchased any such article at the price paid by the State therefor, to offer for sale, or sell such articles at any higher advance than ten per cent. on the price paid for the same; and in case any such articles shall be sold, or offered for sale, at any higher advance than as aforesaid, the same shall be again seized by the Governor or his agents, and disposed of as before provided.

By Mr. MAZYCK, the same to end of third section :

*Provided*, That it shall not be lawful for any person who shall have purchased any such article at the price paid by the State therefor, to offer for sale, or sell such articles at any higher advance than ten per cent. on the price paid for the same; and in case any such articles shall be sold, or

offered for sale, at any higher advance than as aforesaid, the same shall be again seized by the Governor or his agents, and disposed of as before provided.

By Mr. GARLINGTON : After the word "State," in first section, the following: "Or imported into this State from foreign countries, except while in the hands of the importers, or their consignees or agents."

The following were offered, and were disagreed to:

By Mr. MAZYCK :

*Provided*, That in estimating the net profit made, or to be made, on merchandise, or things sold or offered for sale as aforesaid, such profit shall be ascertained by deducting from the difference between the prime cost of such merchandise or other things, and the price at which the same are offered for sale or sold, besides all other proper deductions, the difference between the market price of gold at the time of the production, purchase, or manufacture of such merchandise or other things, and the market price of gold at the time when the same are offered for sale or sold as aforesaid.

By Mr. WILSON, strike out the fourth section, and insert the following:

That the Governor of this State, for the purpose of carrying into effect the provisions of this Act, be, and he is hereby, authorized and empowered to employ such agents as he may think proper and necessary; and may, in addition to the contingent fund, use for the purpose of enforcing this Act any unappropriated funds in the Treasury: *Provided*, That the number of agents so to be employed shall not exceed forty-six, and the compensation to such agent thus employed shall not exceed one thousand dollars per annum, or at that rate if employed for a shorter period than one year.

On motion of Mr. ARTHUR, the fourth section was stricken out.

On motion of Mr. GARLINGTON, the Bill was made the Special Order of the Day for to-morrow, at 1 o'clock, P. M.

## PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives returned to the Senate, with its concurrence,

The report of the Committee on Commerce, Manufactures and the Mechanic Arts,

On the petition of the Trustees of the Marine School, for aid, and on the Governor's Message on the same subject.

The House also sent, for concurrence, the following:

The report of the Committee on Railroads,

On the claim of the Charleston and Savannah Railroad Company, for payment for a bridge over Ashley river; which was referred to the Committee on Claims and Grievances.

The report of the Medical Committee,

On the account of Dr. J. Caughman, for a *post mortem* examination; which was referred to the Committee on the Lunatic Asylum and Medical Accounts.

The report of the Committee on Claims,

On the account of the Clarendon Banner, for printing; which was referred to the Committee on Claims and Grievances.

The report of the Committee of Ways and Means,

On the petition of holders of lots on Sullivan's Island, praying exemption from taxation during the war; which was referred to the Committee on Finance and Banks.

The House of Representatives returned to the Senate the following Acts:

An Act to increase the fees of Sheriffs for dieting persons confined in jail;

An Act to alter and amend the charter of the Bank of Charleston, South Carolina;

An Act to provide against dearths of salt; and they were committed to the Committee on Incorporations and Engrossed Acts.

Leave of absence was granted to the Senators from Chester and Abbeville, after this day, until Wednesday next.

Mr. ROBERDS, from the Committee to count the ballots cast for State Reporter, reported that J. S. G. Richardson had received all the ballots cast, and he was consequently declared by the PRESIDENT duly elected accordingly.

The following resolutions were offered, and considered, and agreed to, and were ordered to be sent to the House of Representatives for concurrence:

By Mr. McCRAW :

*Resolved*, That a clerical error having occurred in the third resolution of the report and resolutions of the Committee on the New State House, of the Senate, on the report of the Acting Commissioner, Architect and Superintendent of the same, adopted by the General Assembly in December, 1862, by the use of the words "January, 1862," for "January, 1863," the Clerks of the two houses, or either of them, be instructed to correct the said error.



By Mr. MOSES :

*Resolved*, That the bonds executed on contracts with the State for the manufacture and delivery of salt, under the resolutions of the Executive Council, adopted 19th of February and 20th May, 1862, be transferred to the care of the Auditor. That the Auditor inquire whether the said contracts have been duly performed by the persons undertaking them, and in the event of his ascertaining that the conditions of the said bonds have not been complied with, that he cause suit to be brought on the said bonds at the earliest practicable period.

The House of Representatives also sent to the Senate,

A Bill to amend an Act entitled "An Act to make appropriations in aid of the families of soldiers," and to repeal an Act entitled "An Act to afford aid to the families of soldiers," ratified on the 21st day of December, A. D. 1861.

The Bill received the third reading, and it was

*Resolved*, That it do pass; that the title thereof be changed; that it be called "An Act," and that it be sent to the House of Representatives.

The Senate proceeded to the

### GENERAL ORDERS OF THE DAY.

A Bill, from the House of Representatives, to vest in the Confederate Government a part of the Columbia Canal for a term of twelve years, received the second reading, was agreed to, and was sent to the House of Representatives.

The report of the Committee on the Military and Pensions,

On so much of the Governor's Message as relates to questions arising in the service of the two Companies of Mounted Rifles, and the accompanying report of the Adjutant and Inspector General on the same subject, was agreed to, and was sent to the House of Representatives for concurrence.

Resolutions in reference to an agency at Richmond, for the assistance of sick and wounded soldiers, were concurred in, and returned to the House of Representatives.

The report of the Committee on Finance and Banks,

On the amendments by the House of Representatives to a Bill to authorize the Banks of this State to issue small notes, on motion of Mr. McALILEY, was recommitted.

The General Orders were suspended.

Mr. WARE offered the following resolution; which was considered, and agreed to, and sent to the House of Representatives for concurrence:

*Resolved*, That the new Boards for Soldiers' Relief, appointed by the Act of the present Legislature, be authorized and empowered to adjust and pay, out of the funds raised under said Act, any sum or sums which may have been paid out or disbursed by the old Boards of Relief, upon their individual responsibility, since the first day of January, 1863, upon satisfactory evidence being given that such disbursements were made in accordance with the Act creating such new Boards.

The General Orders were suspended, and,

On motion of Mr. MANNING, the Senate adjourned at half-past 3, P. M.

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SATURDAY, JANUARY 31, 1863.

The Senate met 12, M. Prayer by the Rev. Mr. Yates.

The Clerk read the Journal of the proceedings of yesterday.

ADDITIONAL SENATOR.

Hon. S. W. Barker, St. John's, Berkeley,  
appeared in his seat in the Senate Chamber.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The following message was received from the House of Representatives :

HOUSE OF REPRESENTATIVES, January 30, 1863.

*Mr. President, and Gentlemen of the Senate :*

This House respectfully concurs with the Senate's amendment making nominations for Soldiers' Board of Relief for Horry District and St. Helena Parish.

By order of the House,

A. P. ALDRICH, *Speaker*.

The report was amended pursuant to leave granted, and as amended, was concurred in, and returned.

The following message was received from the House of Representatives :

HOUSE OF REPRESENTATIVES, January 30, 1863.

*Mr. President, and Gentlemen of the Senate :*

The House respectfully asks leave of the Senate to amend the resolution of the Senate, providing for the education of certain youths in the State Military Academies, by striking out all after the word resolved, and inserting the words hereto appended.

By order of the House,

A. P. ALDRICH, *Speaker*.

*Resolved*, That his Excellency the Governor be, and he is hereby, authorized to select one youth from each Congressional District in this State, sons of officers or soldiers of the army, or of officers or men of the navy of the Confederate States, who, during the existing war, have died in battle, or who have died from disease contracted either by wounds or exposure, or who, not being sons of officers or soldiers, are under the age of twenty years, and have behaved with gallantry on the field of battle, who shall be placed in one or other of the military institutions of this State, to be educated at the charge of a grateful country.

*Resolved*, That this appointment be made in every year; and that two thousand (\$2,000,) dollars, if so much be necessary, be appropriated therefor, the same to be increased by the same amount in each succeeding year until it shall reach eight thousand (\$8,000) dollars; at which sum it shall continue an annual appropriation.

The Senate concurred, and returned a message accordingly.

The House of Representatives also sent to the Senate the following message :

HOUSE OF REPRESENTATIVES, January 30, 1863.

*Mr. President, and Gentlemen of the Senate :*

This House respectfully begs leave to amend the Senate resolution on the petition of Asa George, praying aid in the construction of a revolving cannon, by striking out all after the word resolved, and inserting the resolution annexed :

That the Governor be authorized to have completed the six revolving cannon commenced by Asa George, and to have sheet iron defensive armor applied to the same, and to have constructed a gun of larger calibre on the same principles; and that he shall be authorized to employ the said Asa George to superintend the said work, and to pay him a suitable sum for his services, as well those to be rendered as those already bestowed; and that ten thousand dollars be appropriated for these purposes, to be drawn by the Governor.

By order of the House,

A. P. ALDRICH, *Speaker*.

The Senate returned a message, refusing to grant leave.

The House of Representatives returned to the Senate, with its concurrence, the following papers :

The report of the Committee on the College, Education and Religion,

On the report of the Commissioners of the Deaf, Dumb and Blind.

The report of the Committee on Finance and Banks,

On the petition of T. Harrison Baker, Captain of the Privateer Savannah, to have Bond cancelled ;

On the memorial of the Mayor and Aldermen of the City of Columbia, asking an appropriation for the relief of the Transient Poor ;

On the petition of W. A. Willingham, praying to be refunded a double war tax.

The report of the Committee on the Military and Pensions,

On Message No. 3 of the Governor.

The resolution for sending the papers with the Road Bill on which it is based.

The reports of the Committee on Claims and Grievances,

On the petition of Wm. Carter, for payment for services as Deputy Marshal in 1860 ;

On account of Samuel Watson, Sheriff of Sumter District, for articles furnished the jail ;

On the petition of J. J. Belser, praying compensation for a slave executed ;

On the account of the Charleston Mercury, for printing done for the State ;

Resolution authorizing the Boards of Commissioners for the relief of soldiers' families to pay out certain funds ;

Report of Joint Committee on communication of J. L. Petigru, Commissioner of the Code.

The House of Representatives sent to the Senate the following papers:

The report of the Committee on Offices and Officers,

On nominations for Boards of Commissioners and District officers ; which was referred to the Committee on Accounts and Vacant Offices.

The report of the Delegation from St. Philip's and St. Michael's,

On a part of an Ordinance and certain resolutions of the Convention, in reference to the removal of negroes and other property from the City of Charleston, and also of white persons incapable of taking part in the defence of the city ; which was referred to the Committee on the Military and Pensions.

The report of the Committee on Education,

On the report of Henry R. Frost, Treasurer of the Vestry of St. James', Goose Creek, on the Ludlam School Fund ; which was referred to the Committee on the College, Education and Religion.



The report of the Committee on Commerce and Manufactures,

On certain resolutions in relation to the clothing of our soldiers, recommending the passage of a resolution to effect the end proposed; which was referred to the Committee on Commerce, Manufactures and the Mechanic Arts.

Report of the Committee on Public Printing,

On the claim of C. P. Pelham, State Printer, for balance due him; which was referred to the Committee on Public Printing.

Resolution for the payment of the officers of the Senate and House of Representatives; which was referred to the Committee on Finance and Banks.

Report of the Medical Committee,

On the account of Dr. B. C. Norment, for attending prisoners in jail; which was referred to the Committee on the Lunatic Asylum and Medical Accounts.

The report of the Committee on Claims, on the following papers, which were referred to the Committee on Claims and Grievances:

On the petition of B. F. Crymes, for services rendered as a special constable;

On the account of the Charleston Mercury, for public printing;

On the petition of P. O'Connell, State Constable, praying that he be allowed the sum of twenty dollars, due upon his last annual account against the State;

On the petition of John J. Stuckey, praying compensation for services in guarding and carrying to jail negroes condemned to be executed;

On the memorial of sundry citizens of Darlington District, praying relief for Susannah Andrews;

On the account of the Camden Confederate, for public printing;

On the account of the Clarendon Banner, for public printing;

The reports of the Committee on Claims,

On the account of Dr. M. B. Earle, for medical attendance on a prisoner in jail;

On the account of Dr. J. T. Baskin, for a *post mortem* examination; which were referred to the Committee on the Lunatic Asylum and Medical Accounts.

The reports of the Medical Committee,

On the account of Dr. R. W. Bates, for a *post mortem* examination;

On the petition of Dr. J. Dickson Bruns, for a *post mortem* examination;

On the petition of Dr. J. Dickson Bruns, for a *post mortem* examination; which were referred to the Committee on the Lunatic Asylum and Medical Accounts.

The report of the Committee on the State House and Grounds, to whom was referred Message No. 10 of his Excellency Governor Pickens; which was referred to the Committee on the New State House.

The reports of the Committee of Ways and Means,

On the Annual report of the President and Directors of the Bank of the State of South Carolina, and on the special report of the President relative to change bills;

On the memorial of Richard Yeadon, Chairman of the Executive Committee of the Free Market of Charleston;

On the petition of R. T. Mims, to be refunded a sum of money paid to the Tax Collector of Lexington District;

On the petition of Thomas Carter, to be freed from a war tax improperly assessed;

On the petition of W. Alston Pringle, as representing Julius Izard Pringle, to be refunded a double tax;

On the report of the Comptroller General;

On the petition of J. J. Carter, to be refunded an excess of war tax;

On the petition of William O. Moss, to be refunded a war tax twice paid;

On the petition of Matthew Carter, to be refunded a war tax improperly paid;

On the petition of J. R. Stalnaker, to be relieved from a war tax improperly assessed;

On the petition of William E. White, to be refunded a war tax twice paid;

On the petition of B. E. Kiddell, to be refunded a war tax illegally exacted; all of which were referred to the Committee on Finance and Banks.

The House of Representatives returned to the Senate,

An Act to amend an Act entitled An Act to make appropriations in aid of the families of soldiers, and to repeal an Act entitled "An Act to afford aid to the families of soldiers, ratified on the 21st day of December, A. D. 1861;" and it was referred to the Committee on Incorporations and Engrossed Acts;

A Bill to vest in the Confederate Government a part of the Columbia Canal for a term of twelve years; which had been amended by the House of Representatives, on the second reading; and the amendment was referred to the Committee on Agriculture and Internal Improvements; and also,

A Bill to incorporate, with uniform rights, powers and privileges, Protestant Episcopal Congregations in South Carolina; which received the third reading; it was passed; title changed; and sent to the House of Representatives;

A Bill to establish and recharter certain roads, bridges and ferries, and for other purposes; which received the third reading; was passed; title changed, and returned to the House of Representatives;

A Bill to prohibit the sale of spirituous liquors in small quantities during the present war; which received the first reading, and was referred to the Committee on the Judiciary.

The Committee on Incorporations and Engrossed Acts was discharged from the further consideration of

A Bill, from the House of Representatives, to enable the Charleston Savings' Institution to purchase and hold real property; and the Bill was ordered to lie on the table.

The same Committee was also discharged from the further consideration of

A Bill to alter and amend the third section of an Act entitled "An Act to charter a Cotton Planters' Loan Association," and it was referred to the Committee on Agriculture and Internal Improvements.

Mr. RHETT presented the petition of James Legare, praying compensation for a slave executed; which was referred to the Committee on Claims and Grievances.

Mr. HAMMOND presented the petition of Joseph A. Cunningham, for payment for a slave that died in the service of the State, near Charleston; which was referred to the same Committee.

Mr. HOPE submitted the report of the Committee on Roads and Buildings,

On a resolution, from the House of Representatives, requesting the military authorities to remove from the Charleston Court House, so that it may be used for the Courts. The report was ordered for immediate consideration, and the resolution was concurred in, and returned to the House of Representatives.

The Senate proceeded to the

### SPECIAL ORDER OF THE DAY FOR 1, P. M.

A Bill to prohibit extortion and punish extortioners.

On motion of Mr. GARLINGTON, the Special Order was discharged, and the same subject was made the Special Order of the Day for Monday next, at 1, P. M.

The Senate proceeded to the

### GENERAL ORDERS OF THE DAY.

On motion of Mr. LESESNE, the report of the Committee on Incorporations and Engrossed Acts,

On a memorial of sundry citizens of Charleston, praying an Act incorporating the "Trading Company of the Confederate States;" and also,

"A Bill to charter the Trading Company of the Confederate States," were ordered to lie on the table.

A Bill to charter the Atlantic Steam Packet Company of the Confederate States, was taken up for a second reading; and having been read, on the question of agreeing to the Bill, the yeas and nays were ordered to be taken, and they are as follows :

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; and Messrs. Arthur, Blakeney, Boykin, Fickling, Garlington, Harrison, Hart, Hope, Houser, W. D. Johnson, Keitt, Lesesne, Maxwell, J. W. Miller, Murray, Oswald, Rhett, Ware, Wilson, and Wortham.

Those who voted in the negative, are

Messrs. Barker, Beaty, W. R. Johnson, Manning, Mazyck, McCaw, McKewn, Moses, Roberds, and Sessions.

In the affirmative, 21.

In the negative, 10.

The Bill was, therefore, agreed to, and sent to the House of Representatives.

The report of the Committee on Finance and Banks,

On a Bill, from the House of Representatives, to provide for a guaranty by the State of the bonds of the Confederate States, was ordered to be placed in the General Orders of the Day for Monday next,

The following amendment, offered by Mr. MAZYCK, being before the Senate at the time the order was made :

*Provided*, That not more than one-fourth of the amount of bonds hereby authorized to be endorsed as aforesaid shall be so endorsed at any time before the first day of May next, nor more than one-half the said amount at any time before the first day of August next, nor more than three-fourths of the said amount at any time before the first day of November next.

The report of the Committee on Incorporations and Engrossed Acts,

On a Bill to charter the Palmetto Exporting and Importing Company, was indefinitely postponed, on motion of Mr. LESESNE.

The following Bills received the second reading, were agreed to, and were ordered to be sent to the House of Representatives :

A Bill to amend an Act entitled an Act to authorize the City Council of Charleston to issue and put in circulation notes receivable in taxes and dues to the City, ratified on the 21st day of December, A. D. 1861 ;

A Bill to repeal the ninth section of an Act to establish a separate Court of Appeals.

A Bill to charter the Palmetto Exporting and Importing Company, received the second reading, and, on the question of agreeing to the Bill, the yeas and nays were ordered to be taken, and they are as follows :



Those who voted in the affirmative, are

Hon. W. D. PORTER, President; and Messrs. Arthur, Blakeney, Boykin, Garlington, Hammond, Harrison, Hart, Hope, Heuser, W. D. Johnson, Keitt, Lesesne, Maxwell, J. W. Miller, Murray, Oswald, Rhett, Ware, and Wilson.

Those who voted in the negative, are

Messrs. Barker, Beaty, Manning, Mazyck, McCaw, McKewn, E. H. Miller, Moses, and Sessions.

In the affirmative, 20.

In the negative, 9.

The Bill was, therefore, agreed to, and was sent to the House of Representatives.

The Report of the Committee on Incorporations, of the House of Representatives, on the said Bill, was also concurred in, and returned to the House of Representatives.

The report of the Committee on the Military and Pensions,

On so much of Message No. 1 of his Excellency Governor Pickens as refers to the State Works at Greenville C. H., was ordered to be placed in the General Orders of the Day for Monday next.

The report of the Committee on the Military and Pensions,

On a resolution, from the House of Representatives, on the petition of Asa George, praying aid in the construction of a revolving gun, was agreed to, and the report of the House was ordered to lie on the table.

The following reports of the Committee on the Military, of the House of Representatives, were concurred in, and returned :

On a resolution as to Morse's patent breech loading carbine;

On the Annual Report of the Board of Visitors of the State Military Academics;

In reference to the purchase of a limited number of copies of Mahan's work on permanent fortifications.

The reports of the Committee on the Military and Pensions,

On the petition of Francis M. Mellett and J. H. McKnight, praying relief in the matter of the elections held in the Eighth Regiment of Reserves, and

On the petition of citizens of Darlington, asking the disbanding of a Militia Beat Company, were agreed to.

The report of the Committee on the Military and Pensions,

On Message No. 12 of his Excellency Governor Pickens, in relation to the appointment of some one to record the names of those who have fallen in the service of their country;

On a resolution in relation to the present war, transmitted by the State of Florida; and

The report of the Committee on Finance and Banks,

On the memorial of John Townsend and others, members of the Central Association for the relief of the soldiers of South Carolina, were agreed to, and were ordered to be sent to the House of Representatives for concurrence; the first resolution of the last report having been amended, on motion of Mr. MOSES, by adding to the appropriation of \$200,000 the words "if so much be necessary."

The General Orders were suspended.

A message was received from the House of Representatives, insisting on asking leave to amend the Senate resolution in relation to Asa George, as requested in a previous message by that House.

The message was ordered for consideration on Monday next.

The House of Representatives sent to the Senate

A Bill to amend an Act entitled "An Act to provide for the payment by the State of the war tax of the Confederate States, and for the collection of the same from the tax payers in this State."

The Bill received the first reading, and was referred to the Committee on Finance and Banks, and was ordered to be printed; also,

A Bill to provide for the payment by the State of such war tax as may be imposed by the Congress of the Confederate States during the year one thousand eight hundred and sixty-three, and for the collection of the same from the tax payers in this State.

The Bill received the first reading, and was referred to the same Committee, and was ordered to be printed.

The Senate granted leave to Mr. RHETT to withdraw from the files of the Senate the petition of N. W. Heyward, for payment for three negroes lost in the service of the State.

On motion of Mr. BEATY, the Senate adjourned at a quarter-past 3, P. M.

## MONDAY, FEBRUARY 2, 1863.

The Senate met at 12, M. Prayer by the Rev. Mr. Pringle.

The Clerk read the Journal of the proceedings of Saturday.

Mr. HAMMOND, who was absent when the vote was taken, on Saturday, on the passage of a Bill to charter the Atlantic Steam Packet Company of the Confederate States, was permitted by the Senate to record the vote he would have given if he had been present; and upon the Senator's name being called, he voted in the affirmative.

Mr. LESESNE offered the following resolution, which was ordered to be made the Special Order for this day, at 1, P. M., with the Bill on the same subject:

*Resolved*, That the practice of extortion, especially in the existing state of the country, is odious and wicked, the offspring of heartless selfishness, and justly places those engaged in it in the class of *enemies of the human race*.

## PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate the following message:

HOUSE OF REPRESENTATIVES, January 31, 1863.

*Mr. President, and Gentlemen of the Senate:*

This House respectfully begs leave to amend the Senate's report on the petition of holders of lots on Sullivan's Island, by striking out the resolution appended to the report, and in lieu thereof inserting the following resolution:

*Resolved*, That during the continuance of the war between the Confederate States of America and the United States of America, the lots on Sullivan's Island, Charleston District, be exempted from taxation.

By order of the House,

A. P. ALDRICH, *Speaker*.

The Senate concurred, and returned a message accordingly.

The House of Representatives also sent to the Senate,

A Bill to repeal an Ordinance of the Convention, entitled "An Ordinance of the Convention to exempt overseers from the performance of military duty," and an Ordinance entitled "An Ordinance in relation to a portion of the Militia;" which received its first reading, and was referred to the Committee on Military and Pensions; also,

An Act to incorporate, with uniform rights, powers, and privileges, Protestant Episcopal Congregations in South Carolina; and it was committed to the Committee on Incorporations and Engrossed Acts; and also,

A Bill, originating in the Senate, to provide for the appointment of Commissioners of the Poor for Darlington District; which was ordered to lie on the table; and also,

A Bill to declare the law in relation to the proceedings of the Executive Council; which received the third reading, was passed, title changed to an Act, and sent to the House of Representatives.

On motion of Mr. BLAKENEY, a Bill to provide for the appointment of Commissioners of the Poor for Darlington District, was ordered for a second reading; the Bill was read, the title was amended, by adding "And for Chesterfield District;" it was agreed to, and was sent to the House of Representatives.

The House of Representatives returned, with concurrence, a resolution correcting a clerical error in the report of the Committee on the New State House.

Mr. ARTHUR presented the report of the Committee on Claims and Grievances,

On the report of the Committee on Claims, of the House,

On the account of the Camden Confederate, for public printing;

On the account of the Clarendon Banner, for public printing;

On the account of the Clarendon Banner, for public printing;

On the memorial of sundry citizens of Darlington District, praying relief for Susannah Andrews;

On the petition of B. F. Crymes, for services rendered as a special constable;

On the account of the Charleston Mercury, for public printing;

On the petition of John J. Stuckey, praying compensation for services in guarding and carrying to jail negroes condemned to be executed;

On the petition of P. O'Connell, State Constable, praying that he be allowed the sum of twenty dollars, due upon his last annual account against the State; and

The report of the same Committee,

On the report of the Committee on Railroads, of the House,

On so much of Message No. 1 of his Excellency the Governor as relates to the communication from the President of the Charleston and Savannah Railroad Company, in relation to the Ashley River Bridge; which was ordered for consideration to-morrow.

Mr. ARTHUR also presented the report of the Committee on Claims and Grievances,



On the following petitions for payment for slaves lost while in the service of the State; which were ordered for consideration to-morrow:

Of Joseph A. Cunningham;

Of Zachariah Ellerbe, Sr.;

Of Edward Kinsler;

Of George C. James.

Mr. ARTHUR also presented the report of the Committee on Claims and Grievances,

On so much of Message No. 1 of his Excellency the Governor as relates to the communication from the President of the Charleston and Savannah Railroad Company, in relation to the Ashley River Bridge; which was ordered for consideration to-morrow.

Mr. MOSES presented the report of the Committee on the Judiciary,

On a Bill to exempt from legal penalty, for not making their annual returns, all Guardians, Administrators, Executors, &c., in Confederate service;

The report of the same Committee,

On a Bill to alter and amend an Act concerning the office and duties of Ordinaries, passed in the year of our Lord one thousand eight hundred and thirty-nine; which were ordered for consideration to-morrow.

Mr. E. G. PALMER presented the report of the Committee on Agriculture and Internal Improvements,

On that portion of the Governor's Message, with accompanying resolutions of the Legislature of Florida, in relation to the manufacture of salt; and also,

The report of the Committee on Commerce and Manufactures, of the House, on the same subject; and also,

The report of the Committee on Finance and Banks,

On a resolution, from the House, in relation to the pay of the officers of the two Houses; which were ordered for consideration to-morrow.

Mr. WARE presented the report of the Committee on Incorporations and Engrossed Acts,

On the petition of the Right Worthy Southern Grand Lodge of the Independent Order of Odd Fellows, of the State of South Carolina, praying an Act of Incorporation; which was ordered for consideration to-morrow.

Mr. McCAW presented the report of the Committee of the New State House,

On the report of the Committee on the New State House and Grounds, of the House, to whom was referred Message No. 10 of his Excellency the Governor.

Mr. E. G. PALMER, from the Committee on Agriculture and Internal Improvements, to which had been referred the amendments made by the House of Representatives on the second reading of a Bill to prevent and punish the planting and cultivating in the State over a certain quantity of cotton during the present year, submitted a report, recommending that the Senate do concur in the amendments of the House. The report was ordered for immediate consideration, and was agreed to, and the Bill received the third reading, and it was

*Resolved*, That the Bill do pass; that the title thereof be changed; that it be called an Act.

*Ordered*, That it be sent to the House of Representatives.

The Senate proceeded to the

#### SPECIAL ORDER OF THE DAY FOR 1, P. M.

A Bill to prohibit extortion and punish extortioners, and the resolution offered by Mr. Lesesne on the same subject. The Senate proceeded with the second reading of the Bill.

Mr. GARLINGTON moved to strike out all after the enacting clause, for the purpose of inserting the following:

“That from and after the passing of this Act, any dealer or speculator in clothing or materials of clothing, boots, shoes, leather, brogans, raw hides, meat, grain, flour, fish, coffee, sugar, tea, salt, saltpetre, wool, yarn, iron, castings, nails, and hardware generally, cattle, hogs, and other live stock, poultry, or other necessary of life whatsoever, or any produce for sale of any of the said articles, who shall, during the continuance of the existing war, sell or dispose of any of the said articles at exorbitant or unreasonable rates or prices, or at an exorbitant or unreasonable advance or profit on the cost thereof, or cost of the production thereof, or shall refuse to sell or dispose of the same for cash, either in specie or current funds, at fair or reasonable rates or prices, or at reasonable advances or profits on the cost thereof, or cost of the production thereof, and all other persons who shall sell or dispose of any of the said articles at exorbitant or unreasonable rates or prices, or at an exorbitant or unreasonable advance or profit on the cost, or cost of the production thereof, shall be deemed and held guilty of an extortion, and on conviction thereof in any of the Courts of General Sessions of this State, shall be fined, not more than one thousand dollars, and be imprisoned not more than twelve months; one-half of the fine in each case to be for the benefit of the informer, and the other half for the benefit of soldiers' and seamen's families, to be paid over to the Soldiers' Board of Relief for the

District in which the conviction shall take place; and the informer to be a competent witness; any law, custom or usage to the contrary notwithstanding: *Provided*, That no importer of foreign merchandise shall be liable to the penalties of this Act.

"SEC. 2. That in all cases arising under this Act, it shall be left to the juries to determine what are exorbitant or unreasonable rates or prices, or exorbitant or unreasonable advances or profits, due regard being had to the circumstances of each case; and it shall be lawful for the Court of Appeals to review the facts as well as the law of all such cases, and to set aside verdicts and order new trials for want of conformity to either fact or law.

"SEC. 3. That no person prosecuted under this Act shall be allowed any right or privilege to traverse or imparlance, or postponement of trial, at the first term of the Court in which he shall be indicted, unless an affidavit of the necessary absence of a material and necessary witness; and no technical or formal exception to any process, indictment, or other pleading, shall avail the defendant, but each case shall be tried and adjudged according to the merits, without any regard to form.

"SEC. 4. Corporations, by their corporate names, and corporators of incorporated companies, shall be liable to indictment and punishment for extortion, under this Act; and when corporations are indicted and convicted of extortion, they shall be liable to fine as aforesaid, and to forfeiture of charter, at the discretion of the Court."

Mr. MAZYCK moved the following, as an additional section of the Bill:  
 "In carrying into execution the provisions of this Act, due regard shall be had to the depreciation of the currency."

On the question of agreeing to this amendment, it was decided in the negative.

Mr. MAZYCK offered the following, as an additional section:

"In carrying into execution the provisions of this Act, no regard shall be had to the depreciation of the currency."

Mr. MOSES moved that this amendment do lie on the table, which was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; and Messrs. Appleby, Arthur, Beaty, Blakeney, Bull, Garlington, Hammond, Harrison, Hart, Hope, W. D. Johnson, Lesesne, Manning, Maxwell, McCaw, McKewn, E. H. Miller, J. W. Miller, Moses, Murray, Oswald, E. G. Palmer, Roberds, Sessions, Simkins, Ware, Wilson, and Wortham.

Those who voted in the negative, are

Messrs. Barker and Mazyck.

In the affirmative, 29.

In the negative, 2.

The amendment was, therefore, ordered to lie on the table.

Mr. WILSON moved to strike out, in the third section, the words "and to forfeiture of charter, at the discretion of the Court."

This amendment was not agreed to.

The following amendment, offered by Mr. MOSES, was agreed to:

In section two, strike out the words "as well as the law;" strike out, at the end of said section, the words "to either fact or law," and insert the word "*them*"

Mr. LESESNE moved that the amendment and the Bill be ordered to lie on the table; which was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; and Messrs. Barker, Boykin, Boyle, Bull, Fickling, Lesesne, Manning, Mazyek, E. G. Palmer, Simkins, and Wilson.

Those who voted in the negative, are

Messrs. Arthur, Beaty, Blakeney, Garlington, Hammond, Harrison, Hart, Hope, W. D. Johnson, Maxwell, McCaw, McKewn, E. H. Miller, J. W. Miller, Moses, Murray, Oswald, Roberds, Sessions, Ware, and Wertham.

In the affirmative, 12.

In the negative, 21.

The motion, therefore, did not prevail. The amendment was then agreed to.

The reading having been concluded, on the question of agreeing to the Bill, the yeas and nays were ordered, and are as follows:

Those who voted in the affirmative, are

Messrs. Appleby, Arthur, Beaty, Blakeney, Garlington, Hammond, Harrison, Hart, Hope, W. D. Johnson, Maxwell, McCaw, McKewn, E. H. Miller, J. W. Miller, Moses, Murray, Oswald, Roberds, Sessions, Ware, and Wortham.

Those who voted in the negative, are

Hon. W. D. PORTER, President; and Messrs. Barker, Boykin, Boyle, Bull, Fickling, Lesesne, Manning, Mazyek, E. G. Palmer, Simkins, and Wilson.

In the affirmative, 22.

In the negative, 12.

The Bill was, therefore, agreed to, and sent to the House of Representatives.

The following resolution was also agreed to, and was sent to the House of Representatives for concurrence:



*Resolved*, That the practice of extortion, especially in the existing state of the country, is odious and wicked, the offspring of heartless selfishness, and justly places those engaged in it in the class of *enemies of the human race*.

The Senate proceeded to the

### GENERAL ORDERS OF THE DAY.

The following reports were agreed to, and were ordered to be sent to the House of Representatives for concurrence :

Report of the Committee on the Military and Pensions,

On the petition of David Ramsay, Administrator of Eleanor Ramsay, praying relief from a tax execution on property destroyed by the Confederate States.

Reports of the Committee on Claims and Grievances,

On the petition of R. L. Hart, praying compensation for a slave who died of disease contracted in the public service ;

On the petition of Wm. B. Means, praying compensation for fodder furnished the army ;

On the petition of Henry McKee, praying compensation for corn furnished the army.

The following were concurred in, and returned to the House of Representatives :

Reports of the Committee on Claims,

On the petition of William Lindsay, for services rendered ;

On the account of P. B. Glass & Co., for stationery furnished the House of Representatives.

The report of the Committee on Claims and Grievances,

On the petition of N. W. Heyward, to be paid for negroes lost while in public service, was, on motion of Mr. MOSES, ordered to lie on the table.

The report of the Committee on Claims and Grievances,

On the petition of T. W. Gillison, for three negroes lost in the public service ; and

The report of the Committee on Claims, of the House of Representatives, on the petition of Thomas Williams, praying to be paid for property destroyed on Sullivan's Island, by order of the military authorities, were agreed to.

A Bill to incorporate certain religious and charitable societies, and to renew and amend the charters of others heretofore granted, received the second reading, was agreed to, and was sent to the House of Representatives.

On motion of Mr. HARRISON, the report of the Committee on the Military and Pensions,

On so much of the Message No. 1 of his Excellency Governor Pickens as refers to the State Works at Greenville C. H., was recommitted.

The Senate considered the message of the House of Representatives, insisting on asking leave to amend the resolution of the Senate, in relation to Asa George, and returned a message, insisting on refusing to grant the leave asked.

A Bill to provide for a guaranty by the State of the bonds of the Confederate States, received the second reading, was agreed to, and was sent to the House of Representatives. Mr. ARTHUR afterwards moved a reconsideration, and the same was ordered, and the Bill was ordered for a second reading to-morrow.

The report of the Committee on the College, Education and Religion,

On the report of the Committee on Education, of the House of Representatives, on Message No. 4 of his Excellency Governor Pickens, relative to the South Carolina College, was ordered for consideration to-morrow.

The General Orders were disposed of.

Mr. MOSES, without notice, by leave of the Senate, introduced a Bill further to declare the law in relation to the proceedings of the Executive Council. The Bill received the first reading, and was referred to the Special Committee on that subject.

The following messages were received from the House of Representatives, and were concurred in, and messages returned accordingly :

#### HOUSE OF REPRESENTATIVES, February 2, 1863.

*Mr. President, and Gentlemen of the Senate :*

The House respectfully begs leave of the Senate to amend their resolutions on so much of the Governor's Message as relates to questions arising in the services of two companies of Mounted Rifles, &c., by striking out, in the 6th line, the words, to wit: "from the 5th day of September, 1862;" and striking out, in 8th line, the word "same," and adding, after the word "time," the words, "he entered on the duties of his office."

By order of the House,

A. P. ALDRICH, *Speaker.*

#### HOUSE OF REPRESENTATIVES, February 2, 1863.

*Mr. President, and Gentlemen of the Senate :*

The House respectfully proposes to your body to amend its resolution of adjournment, by striking out "Tuesday, the 2d," and inserting "Friday, the 6th day of February."

By order of the House,

A. P. ALDRICH, *Speaker.*

The House of Representatives sent to the Senate, for concurrence,

A resolution authorizing the Governor to have machines made for the manufacture of cotton cards, and a resolution authorizing the Governor to purchase and import cotton and wool cards, and to distribute the same; which were referred to the Committee on Commerce, Manufactures and the Mechanic Arts.

On motion of Mr. MAZYCK, the Senate adjourned at half-past 3, P. M.

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## TUESDAY, FEBRUARY 3, 1863.

The Senate met at 12, M. Prayer by the Rev. Mr. Mood.

The Clerk read the Journal of the proceedings of yesterday.

A Message was received from his Excellency the Governor, whereupon, on motion of Mr. MOSES, the Senate went into secret Session.

The Senate granted leave to Mr. LESESNE to withdraw from the files of the Senate the petition of Mary Schultz, Administratrix of John C. Schultz, to be refunded an excess of Confederate war tax paid by her.

Mr. RHETT asked leave to record the vote he would have given, if he had been present, upon the passage of a Bill to prevent extortion and to punish extortioners.

Leave being granted by the Senate, the Clerk called the name of the Senator, and he voted in the negative.

## PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives returned to the Senate, with its concurrence,

The report of the Committee on the New State House, to whom was referred Message No. 10 of his Excellency the Governor; also,

Resolution providing for educating certain youths in the Military Academies; also,

The report of the Committee on Finance and Banks,

On the petition of holders of lots on Sullivan's Island, praying exemption from taxation during the war.

The House of Representatives sent to the Senate

The report of the Committee on the Military,

On a resolution in relation to machinery and tools at Greenville ; and  
On Message No. 4 of his Excellency the Governor and accompanying papers ; also,

The report of the Committee of Ways and Means,

On the military accounts and contingent fund ; which were referred to the Committee on the Military and Pensions.

The report of the Committee on Claims,

On a resolution of inquiry in relation to the payment for slaves lost in the service of the State ;

On the petition of Asa Chilson, for himself and company, praying the fulfillment of a contract ;

On the account of R. A. McKnight, for public printing ;

On the petition of Thomas S. Minton, praying compensation for provisions furnished Quartermaster and Surgeon of the 4th Regiment, S. C. V. ; which were referred to the Committee on Claims and Grievances.

The House of Representatives sent to the Senate,

A Bill to raise supplies for the year commencing in October, one thousand eight hundred and sixty-two ; which received the first reading, and was referred to the Committee on Finance and Banks ;

A Bill to charter the Atlantic Steam Packet Company of the Confederate States ;

A Bill to provide for the appointment of Commissioners of the Poor for Darlington District and for Chesterfield District ;

A Bill to charter the Palmetto Exporting and Importing Company ;

A Bill to incorporate certain Religious and Charitable Societies, and to renew and amend the charters of others heretofore granted ; which received the third reading, and it was

*Resolved*, That the Bills do pass ; that the titles thereof be changed ; that they be called Acts.

*Ordered*, That they be returned to the House of Representatives.

The House of Representatives returned to the Senate

An Act to prevent and punish the planting and cultivating, in this State, over a certain quantity of cotton during the present year ; which was referred to the Committee on Incorporations and Engrossed Acts.

The House of Representatives sent to the Senate

A Bill to confer the rights of legitimacy on Mary E. Daniel, which received the first reading, and was referred to the Committee on the Judiciary.

On motion of Mr. E. G. PALMER, Message No. 3 of his Excellency the Governor, with the accompanying documents, were ordered to be printed.



The Committee on Accounts and Vacant Offices was discharged from the further consideration

Of the petition of citizens of York District, praying the appointment of a Magistrate; and

Of a resolution for the appointment of an additional Magistrate in Edgefield District; and they were ordered to lie on the table.

The House of Representatives sent to the Senate certain resolutions in relation to the exploits of the gunboats "Palmetto State" and "Chicora."

A message was sent to the House of Representatives, asking leave to amend the resolutions:

On motion of Mr. GARLINGTON, by striking out, in the second resolution, the words, "and destruction of the sloop of war Mercedeta and other vessels;" and

On motion of Mr. LESESNE, to amend the third resolution, by inserting, after "Lieutenant-Colonel Yates," the name of "Major J. Welsman Brown."

#### REPORTS OF COMMITTEES.

Mr. E. G. PALMER submitted the following reports of the Committee on Finance and Banks:

On a message, from the House of Representatives, asking leave to amend the report of the Committee on Finance and Banks, on the petition of James Gilliam;

On a Bill, from the House of Representatives, to amend an Act entitled an Act to provide for the payment by the State of the War Tax of the Confederate States, and for the collection of the same from the tax payers in this State;

On a Bill, from the House of Representatives, to provide for the payment by the State of such war tax as may be imposed by the Congress of the Confederate States during the year 1863, and for the collection of the same from the tax payers in this State;

On a message, from the House of Representatives, asking leave to amend the report of the Committee on Finance and Banks, on the petition of Elizabeth Hinson;

On a Bill, from the House of Representatives, to authorize the issue of stock for the purpose of continuing the construction of the New State House;

On the report of the Committee on Colored Population,

On the report of the Central Secretary to the Commissioners for the removal of negroes from the Districts of Beaufort, Colleton, Georgetown and Charleston.

Mr. WARE submitted the report of the Committee on Incorporations and Engrossed Acts,

On a Bill, from the House of Representatives, to incorporate the Edisto and Ashley Canal Company; which were ordered for consideration to-morrow.

The following reports of the Committee on the Lunatic Asylum and Medical Accounts, were submitted:

By Mr. BARKER:

On the report of the Committee on the Lunatic Asylum, of the House of Representatives, on the report of the Regents of the Lunatic Asylum.

By Mr. McKEWN:

On the report of the Medical Committee, of the House of Representatives, on the account of Dr. J. T. Baskins, for a *post mortem* examination; and also,

On the report of the Medical Committee, of the House of Representatives, on the account of Dr. J. Caughman, for a *post mortem* examination.

By Mr. HART:

On the report of the Medical Committee, of the House of Representatives, on the account of Dr. R. W. Bates, for a *post mortem* examination; and also,

On the report of the Medical Committee, of the House of Representatives, on the account of Dr. J. Dickson Bruns; and also,

On the report of the Medical Committee, of the House of Representatives, on the account of Dr. J. Dickson Bruns; and also,

On the report of the Committee on Claims, of the House of Representatives, on the account of Dr. M. B. Earle.

Mr. MOSES submitted the following reports of the Special Committee,

On so much of Message No. 2 as relates to the Executive Council and its documents, &c.; and

The report of the same Committee,

On a Bill further to declare the law in relation to the proceedings of the Executive Council; which were placed in the General Orders of this day.

Mr. MOSES presented the report of the Committee on the Judiciary,

On a Bill to prohibit the sale of spirituous liquors in small quantities during the present war.

Mr. MAZYCK presented the report of the Committee on Finance and Banks,

On a Bill to authorize the banks of the State to issue small bills.

Mr. ARTHUR presented the report of the Committee on Claims and Grievances,

On the petition of Micajah Harris, praying compensation for a slave who died in the service of the State.

Mr. HARRISON presented the report of the Committee on the Military and Pensions,

On so much of Message No. 1 of his Excellency the Governor as relates to the enforcement of the Act authorizing and empowering certain regiments to elect their field officers, and the report of the Adjutant and Inspector General on the same subject.

Mr. FICKLING presented the report of the Committee on Privileges and Elections,

On a Bill to enable the citizens of the State, who are engaged in military service, to exercise the rights of suffrage.

Mr. MAZYCK presented the report of the Committee on Finance and Banks,

On the report of the Committee of Ways and Means,

On the petition of J. R. Stalnaker, to be relieved from a war tax improperly paid; and

On the petition of Matthew Carter, to be refunded a war tax.

Mr. HARRISON presented the report of the Committee on Public Printing, on the report of the Committee on Public Printing, of the House,

On the claim of C. P. Pelham, for balance due him.

Mr. MAZYCK presented the report of the Committee on Finance and Banks,

On the report of the Committee of Ways and Means, of the House, on the petition of William O. Moss, to be refunded a war tax twice paid; all of which were ordered for consideration to-morrow.

Mr. WARE submitted the report of the Committee on Accounts and Vacant Offices,

On the report of the Committee on Vacant Offices, of the House of Representatives, on nominations for Boards of Commissioners and District offices; which was ordered to lie on the table for the inspection of Senators; pursuant to the recommendation of the Committee, a message was ordered to be sent to the House of Representatives, asking leave to amend the report as follows:

For Spartanburg District:

Strike out John Byars, and insert, in lieu thereof, G. W. Bonner.

The Senate granted leave of absence to Mr. McKewn for the remainder of the session, after this day.

The Senate proceeded to the

## GENERAL ORDERS OF THE DAY.

On motion of Mr. RHETT, the Senate took up, out of its order, the following report:

The Committee on the College, Education and Religion, to whom was referred the report of the Committee of the House, on the Message of his Excellency the Governor, No. 4, and the accompanying documents, and the resolutions of the House thereupon, have had the same under consideration, and ask leave respectfully to report:

That your Committee see no reason for recommending to the Senate a change in the views expressed in the report heretofore submitted, and adopted as the judgment of the Senate. But the resolutions of the House contain some suggestions which your Committee consider an improvement on the Senate resolutions, and they therefore recommend for the consideration of the Senate the following resolutions:

*Resolved*, That leave be asked of the House to substitute for the report of the House Committee the report of the Senate Committee, heretofore transmitted to the House.

*Resolved*, That the Trustees of the College be advised to permit the College Buildings to remain in possession of the Confederate authorities for the purpose of a military hospital, until such time as the Trustees may see fit to recall the privilege, on the following conditions, to wit: That said authorities return said buildings to the Executive Committee of the College, on the termination of the lease, in as good condition as they received them, and more especially in those particulars that relate to the hygiene of the Institution, and, in the meantime, that the exercises of the College be suspended.

*Resolved*, That the organization of the College, as regards the corps of professors and officers, to be preserved entire, and that they be allowed to occupy their present residences, and that appropriations be made for the payment of the salaries heretofore allowed.

The report was considered, and agreed to, and a message was sent to the House of Representatives, asking leave to amend the report of the House pursuant to the recommendation of the Committee.

The following were agreed to, and were ordered to be sent to the House, of Representatives for concurrence:

Reports of the Committee on Claims and Grievances, on the following petitions:

Of Joseph A. Cunningham;

Of Zachariah Ellerbe, Sr.;



Of Edward Kinsler ;

Of George C. James.

The following reports were concurred in, and were returned to the House of Representatives :

The report of the House Committee, on the New State House and Grounds ;

A resolution, from the House, in relation to the pay of the officers of both Houses ;

The report of the Committee of the House, on Commerce and Manufactures,

On that portion of the Governor's Message, with accompanying resolutions of the Legislature of Florida, in relation to the manufacture of salt.

The report of the Committee on Railroads, of the House,

On so much of Message No. 1 of his Excellency the Governor, as relates to the communication from the President of the Charleston and Savannah Railroad Company, in relation to the Ashley River Bridge.

The reports of the Committee on Claims, of the House of Representatives,

On the account of the Clarendon Banner, for public printing ;

On the memorial of sundry citizens of Darlington District, praying relief for Susannah Andrews ;

On the petition of B. F. Crymes, praying compensation for services rendered as a special constable ;

On the account of the Charleston Mercury, for public printing ;

On the petition of John J. Stuckey, praying compensation for services in guarding and carrying to jail negroes condemned to be executed ;

On the account of the Clarendon Banner, for public printing ;

On the account of the Camden Confederate, for public printing ;

On the petition of P. O'Connell, Constable, praying to be allowed twenty dollars, due upon his last annual account against the State.

The Committee on Claims and Grievances was discharged from the further consideration of the report of the Committee on Claims, of the House of Representatives,

On so much of Message No. 1 of his Excellency the Governor, as relates to the communication from the President of the Charleston and Savannah Railroad Company, in relation to the Ashley River Bridge.

The report of the Committee on the Judiciary,

On a Bill, from the House of Representatives, to exempt from legal penalty for not making their annual returns, all Guardians, Administrators, Executors, &c, in Confederate service ; and

The report of the same Committee,

On a Bill to alter and amend an Act concerning the office and duties of Ordinaries, passed in the year of our Lord one thousand eight hundred and thirty-nine, were agreed to; and, pursuant to the recommendation of the Committee, the Bills were ordered to lie on the table.

The report of the Committee on Incorporations and Engrossed Acts,

On the petition of the Right Worthy Southern Grand Lodge of the Independent Order of Odd Fellows, of the State of South Carolina, praying an Act of incorporation, was also ordered to lie on the table.

The Bill to provide for a guaranty by the State of the bonds of the Confederate States; and

A Bill further to declare the law in relation to the proceedings of the Executive Council, received the second reading, were agreed to, and the latter was sent, and the former was returned, to the House of Representatives.

The following report was considered, and agreed to, and sent to House of Representatives for concurrence:

The Special Committee on so much of the Message No. 2 of his Excellency Governor Pickens as relates to the Executive Council, and its documents, telegrams, &c., ask leave to report,

That they have considered the same, and recommend the adoption of the following resolutions:

*Resolved*, That all the books, papers and telegrams connected with the departments of the two Executive Councils known under the name of the Treasury, be deposited in the office of the Auditor.

*Resolved*, That all the books, papers and telegrams connected with the departments of said Councils known as the Military, and Construction and Manufacture, be deposited in the office of the Adjutant General; and that the books, papers and telegrams connected with all the other departments thereof, be deposited in the office of the Secretary of State.

Mr. MOSES moved that the Senate do now adjourn, which was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

Messrs. Harrison, Maxwell, Mazyck, McCaw, and Moses.

Those who voted in the negative, are

Hon. W. D. PORTER, President; and Messrs. Barker, Beaty, Boykin, Boyle, Fickling, Hammond, Hart, Hope, Houser, W. D. Johnson, Keitt, McKewn, E. H. Miller, J. W. Miller, Murray, Oswald, Roberds, Sessions, and Wortham.

In the affirmative, 5.

In the negative, 20.

The Senate, therefore, refused to adjourn.

At a quarter-past 3, P. M., the Senate, on motion of Mr. W. D. JOHNSON, suspended business until half-past 7, P. M.

### RECESS.

At half-past seven o'clock, P. M., the PRESIDENT resumed the Chair, and the Senate proceeded with business.

The House of Representatives sent to the Senate

A Bill to make appropriations for the year commencing in October, one thousand eight hundred and sixty-two; which received the first reading, and was referred to the Committee on Finance and Banks.

The Senate then resolved itself into secret session, and so remained until 10, P. M., when the session terminated, and the regular session was resumed.

The following message was received from the House of Representatives:

### HOUSE OF REPRESENTATIVES, February 3, 1863.

*Mr. President, and Gentlemen of the Senate:*

The House respectfully concurs in the amendments of the Senate to the resolutions of the House in regard to the exploits of the gunboats Palmetto State and Chicora, by striking out, in the second resolution, "and destruction of the sloop-of-war *Mercideta* and other vessels; also, in third resolution, to amend, by inserting, after "Lieutenant Colonel Yates," the name of "Major J. Welsman Brown."

By order of the House,

A. P. ALDRICH, *Speaker*.

The resolutions were amended pursuant to leave, and were concurred in, and returned.

The House of Representatives also sent to the Senate the following message:

### HOUSE OF REPRESENTATIVES, February 3, 1863.

*Mr. President, and Gentlemen of the Senate:*

The House respectfully asks for a Committee of Conference in the matter of granting aid to Asa George in constructing revolving cannons, and do appoint Messrs. W. F. Hutson, W. H. Evans and J. T. Lowry, as the Committee on the part of the House.

By order of the House,

A. P. ALDRICH, *Speaker*.

The Senate returned a message, insisting on refusing leave, and assenting to the appointment of a Committee of Conference.

Messrs. Garlington, Harrison and Ware were appointed the Committee, and a message was returned accordingly.

On motion of Mr. SIMKINS, the Senate adjourned at 11 o'clock, P. M.

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WEDNESDAY, FEBRUARY 4, 1863.

The Senate met at 12, M. Prayer by the Rev. Dr. Palmer.

The Clerk read the Journal of the proceedings of yesterday.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives returned to the Senate, with its concurrence,

The report of the Committee on the Military and Pensions,

On so much of the Governor's Message as relates to questions arising in the service of the two companies of Mounted Rifles, and the accompanying report of the Adjutant and Inspector General on the same subject.

The House of Representatives returned to the Senate,

Resolutions in relation to the adjournment of the General Assembly on Tuesday, February 3d, at 5, P. M., which resolution the Senate had granted leave to the House to amend, by striking out Tuesday, the 3d, and inserting Friday, the 6th.

The PRESIDENT called the attention of the Senate to the fact that the hour, as well as the day of adjournment, had also been stricken out by the House, probably by mistake; whereupon,

Mr. MOSES moved that a message be sent to the House of Representatives, communicating the foregoing facts, and the same was ordered.

The House of Representatives also returned to the Senate,

A message, granting leave to amend the recommitted report of the Committee on Education, of the House of Representatives,

On so much of Message No. 4 of the Governor as refers to the South Carolina College; as heretofore recorded, the report was amended, pursuant to the leave granted, and was concurred in, and returned.



Mr. GARLINGTON presented the report of the Committee on the Military and Pensions,

On so much of the Message of his Excellency the Governor as relates to reports of military officers, the State Armory, and the Saltpetre Plantation ; also,

On the report of the Committee on the Military, of the House of Representatives, on the same subject; which were placed in the General Orders of to-day.

Mr. McALILEY presented the report of the Committee on Finance and Banks,

On a Bill to make appropriations for the year commencing in October, one thousand eight hundred and sixty-two; which was placed in the General Orders of to-day, and was ordered to be printed.

Mr. E. G. PALMER presented the report of the same Committee,

On Message No. 3 of his Excellency the Governor, with accompanying statements of James Tupper, Auditor, asking leave to be discharged; which was ordered for consideration to-morrow.

Mr. MOSES presented the report of the Committee on the Judiciary,

On a Bill to confer the rights of legitimacy on Mary E. Daniel; and

On the reports of the Solicitors on District officers and their offices; which was placed in the General Orders of to-day.

Mr. E. G. PALMER presented the report of the Committee on Agriculture and Internal Improvements,

On a Bill, from the House of Representatives, to alter and amend the third section of an Act entitled An Act to charter a Cotton Planters' Loan Association; which was placed in the General Orders of to-day.

Mr. MOSES presented the report of the Special Committee,

On so much of Message No. 2 of his Excellency Governor Pickens as relates to the Executive Council, in reference to acting with said Council since the meeting of the General Assembly; which was agreed to, and ordered to be sent to the House of Representatives, and to be printed.

Mr. WILSON presented the report of the Committee on Commerce, Manufactures and the Mechanic Arts,

On a Bill to afford indemnity to manufacturers of salt, and to prevent extortion in its sale; which was ordered for consideration to-morrow.

Mr. McALILEY submitted the following reports of the Committee on Finance and Banks, recommending concurrence in the following reports of the Committee of Ways and Means, of the House of Representatives:

On the report of the Comptroller General;

On the petition of J. J. Carter, to be refunded an excess of war tax;

On the memorial of Richard Yeadon, Chairman of the Executive Committee of the Free Market of Charleston;

On the petition of William L. Meggett, to be refunded a war tax illegally exacted ;

On the petition of Thomas Carter, to be freed from a war tax improperly assessed ;

On the petition of R. T. Mims, to be refunded a sum of money paid to the tax collector of Lexington District ;

On the petition of W. Alston Pringle, as representing Julius Izard Pringle, to be refunded a double tax ;

On the petition of William E. White, to be refunded a war tax twice paid ;

On the petition of James H. Marshburn, to be relieved from an improper war tax assessment ;

On the Annual Report of the President and Directors of the Bank of the State of South Carolina.

The reports having been ordered for immediate consideration, the reports of the House were concurred in, and returned.

Mr. MAZYCK submitted the report of the Committee on Finance and Banks,

On a Bill to raise supplies for the year commencing in October, one thousand eight hundred and sixty-two ; which was made the Special Order for this day, at half-past 7, P. M., and the report was ordered to be printed.

Mr. WILSON submitted the reports of the Committee on Commerce, Manufactures and the Mechanic Arts, on the following resolutions, from the House of Representatives, viz :

A resolution authorizing the Governor to purchase or import cotton and wool cards, and to distribute the same ; and

A resolution authorizing the Governor to have machines made for the manufacture of cotton cards.

The reports having been ordered for immediate consideration, the resolutions were concurred in, and returned to the House.

Mr. ARTHUR submitted the following reports of the Committee on Claims and Grievances, viz :

On the report of the Committee of the Whole House,

On a resolution of inquiry in relation to losses sustained by the owners of slaves in service ; and, pursuant to the recommendation of the Committee, a message was sent to the House, asking leave to substitute the report of the Committee on Claims on this subject, heretofore sent to the House, in lieu of the report referred to them.

Mr. ARTHUR also submitted the reports of the Committee on Claims and Grievances,

On the reports of the Committee on Claims, of the House of Representatives, on the following :

On the account of R. A. McKnight, for public printing ;

On the petition of Thomas S. Minten, for compensation for provisions furnished to the Quartermaster and Surgeon of the 4th Regiment, S. C. V.;

On the petition of Asa Chilson, for himself and company, praying the fulfillment of a contract; and also,

The report of the same Committee,

On the petition of James Legare, praying compensation for a slave executed.

The reports having been ordered for immediate consideration, the House reports were concurred in, and returned, and the Senate report was agreed to, and sent to the House of Representatives for concurrence.

Mr. GARLINGTON submitted the reports of the Committee on the Military and Pensions,

On resolution in relation to machinery and tools at Greenville; and

On Message No. 4 of his Excellency the Governor, and the accompanying papers.

The reports were ordered for immediate consideration, and the House reports were concurred in, and returned.

The Committee on the Military and Pensions was discharged from the further consideration of the report of the Committee of Ways and Means,

On the accounts of the military and contingent funds; and it was referred to the Committee on Finance and Banks.

Mr. E. G. PALMER submitted the report of the Committee on Finance and Banks,

On the report of the York and Lancaster delegations, on the Annual Report of John R. Patton, agent of the Catawba Indians. The report was ordered for immediate consideration, and the House report was concurred in, and returned to the House.

Mr. APPLEBY submitted the unfavorable reports of the Committee on the Lunatic Asylum and Medical Accounts,

On the report of the Medical Committee of the House of Representatives,

On the account of Dr. Thomas P. Rawls, for a *post mortem* examination;

On the account of B. C. Norment, for attending prisoners in jail;

On the account of Dr. J. E. Grant, for a *post mortem* examination.

The reports were ordered for immediate consideration, and were agreed to, and the House reports were rejected.

Mr. RHETT submitted the reports of the Committee on the College, Education and Religion,

On the report of the Abbeville delegation, on the estate of Dr. John De La Howe;

On the report of Henry R. Frost, Treasurer of the Vestry of St. James', Goose Creek, on the Ludlam School Fund.

The reports having been ordered for immediate consideration, the House reports were concurred in, and returned to the House.

Mr. WARE submitted a resolution for appointing the President and Directors of the Laurens Railroad Company proxies to represent the State in the meetings of that Company; which was considered, and agreed to, and was ordered to be sent to the House of Representatives for concurrence.

Mr. MAZYCK presented the petition of Edward C. Perronneau, to be relieved from an assessment for a war tax on return twice made; which was referred to the Committee on Finance and Banks.

Mr. ARTHUR presented the contingent account of the Keeper of the State House; which was referred to the Committee on Claims and Grievances.

The following message was received from the House of Representatives, and was ordered to lie on the table:

HOUSE OF REPRESENTATIVES, February 4, 1863.

*Mr. President, and Gentlemen of the Senate :*

This House respectfully informs the Senate that the resolution of adjournment was amended by striking out Tuesday next, at 5, P. M., and inserting Friday, but by a clerical mistake in the message to the Senate, the day only was asked to be stricken out. The House now respectfully ask that the Senate strike out 5, P. M.

By order of the House,

A. P. ALDRICH, *Speaker.*

The House of Representatives returned to the Senate,

A Bill to provide for a guaranty by the State of the bonds of the Confederate States. The Bill received the third reading, and it was

*Resolved*, That it do pass; that the title thereof be changed; that it be called "An Act," and that it be returned to the House of Representatives.

The Senate proceeded to the

#### GENERAL ORDERS OF THE DAY.

A message, from the House of Representatives, asking leave to amend the report of the Committee on Finance and Banks, on the petition of James Gilliam; and also,

A message, from the House of Representatives, asking leave to amend the report of the Committee on Finance and Banks, on the petition of Elizabeth Hinson, were concurred in, and messages were sent to the House



of Representatives, granting leave to amend the reports accordingly, as heretofore recorded.

A Bill to authorize the Bank of the State to increase its issue of small bills, received the third reading, was passed, title changed, and sent to the House of Representatives.

The following Bills received the second reading, were agreed to, and returned to the House of Representatives:

A Bill, from the House of Representatives, to amend an Act entitled an Act to provide for the payment by the State of the war tax of the Confederate States, and for the collection of the same from the tax payers in this State;

A Bill, from the House of Representatives, to provide for the payment by the State of such war tax as may be imposed by the Congress of the Confederate States during the year 1863, and for the collection of the same from the tax payers in this State;

A Bill, from the House of Representatives, to authorize the issue of stock for the purpose of continuing the construction of the New State House;

A Bill, from the House of Representatives, to incorporate the Edisto and Ashley Canal Company.

The following reports were agreed to, and sent to the House of Representatives for concurrence:

The report of the Committee on the Military and Pensions,

On so much of Message No. 1 of his Excellency the Governor as relates to the enforcement of the Act authorizing and empowering certain regiments to elect their field officers, and the report of the Adjutant and Inspector General on the same subject;

The report of the Committee on Claims and Grievances,

On the petition of Micajah Harris, praying compensation for a slave who died in the service of the State; and

The report of the Committee on the Judiciary,

On the reports of the Solicitors on District officers and offices.

The following reports were concurred in, and returned to the House of Representatives:

The report of the Committee on Colored Population,

On the report of the Central Secretary to the Commissioners for the removal of negroes from the Districts of Beaufort, Colleton, Georgetown and Charleston;

The report of the Committee on the Lunatic Asylum, of the House of Representatives, on the report of the Regents of the Asylum;

The report of the Medical Committee, of the House of Representatives, on the account of Dr. J. T. Baskins, for a *post mortem* examination;

The report of the Medical Committee, of the House of Representatives, on the account of Dr. J. Caughman, for a *post mortem* examination ;

The report of the Medical Committee, of the House of Representatives, on the account of Dr. J. Dickson Bruns ;

The report of the Medical Committee, of the House of Representatives, on the account of Dr. J. Dickson Bruns ;

The report of the Committee on Claims, of the House of Representatives, on the account of Dr. M. B. Earle ;

The report of the Medical Committee, of the House of Representatives, on the account of Dr. R. W. Bates, for a *post mortem* examination.

The reports of the Committee of Ways and Means,

On the petition of J. R. Stalnaker, to be relieved from a war tax improperly paid ;

On the petition of Matthew Carter, to be refunded a war tax.

Report of the Committee on Public Printing,

On the report of the Committee on Public Printing, of the House, on the claim of C. P. Pelham, for balance due him.

The report of the Committee of Ways and Means, of the House, on the petition of William O. Moss, to be refunded a war tax twice paid.

The General Orders, with the exception of the papers passed over, were disposed of.

On motion of Mr. LESESNE, the Senate, at a quarter-past 3, P. M. suspended business until half-past 7, P. M.

### RECESS.

At half-past 7, P. M., the President resumed the Chair, and the Senate proceeded with business.

The Senate proceeded to the

### SPECIAL ORDER FOR THIS HOUR.

The report of the Committee on Finance and Banks,

On a Bill to raise supplies for the year commencing in October, one thousand eight hundred and sixty-two. The Bill being on the second reading, the following amendment, recommended by the Committee, was before the Senate for consideration :

Strike out of the first section the words "one dollar and thirty cents, *ad valorem*, on every hundred dollars of the value of all lands granted in this State, according to the existing classification as heretofore established," and insert the following, to wit: "fifteen cents on every hundred dollars of the

value of all lands other than lots in cities, towns, villages or boroughs, according to the returns and assessments made in the several collection Districts of the State, under the provisions of an Act of the Congress of the Confederate States, entitled 'An Act to authorize the issue of Treasury Notes, and to provide a war tax for their redemption,' approved the nineteenth day of August, eighteen hundred and sixty-one. And in cases wherein lands have not been returned and assessed for the war tax, such lands shall be assessed according to the value thereof, to be returned on oath by the owner or his agent; and if the owner or his agent shall decline or refuse to return the value of the land, it shall be valued at the rate of two dollars an acre, and the tax paid accordingly."

Mr. HOPE moved that this amendment do lie on the table; which was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

Messrs. Beaty, Blakeney, Garlington, Hammond, Hart, Hope, Houser, W. D. Johnson, W. R. Johnson, McCaw, J. W. Miller, Murray, and Ware.

Those who voted in the negative, are

Hon. W. D. PORTER, President; and Messrs. Arthur, Barker, Boykin, Harrison, Kcitt, Lesesue, Maxwell, Mazyck, McAliley, E. H. Miller, Moses, E. G. Palmer, Roberds, Sessions, Simkins, Wilson, and Wortham.

In the affirmative, 13.

In the negative, 18.

The motion, therefore, did not prevail.

Mr. MOSES moved to strike out, in the first section, in the tax on income, the following: "Clerks of Courts of Common Pleas and General Sessions, Sheriffs, Masters and Commissioners in Equity, Registers in Equity, Registers of Mense Conveyance." This motion did not prevail.

The following amendment, offered by Mr. GARLINGTON, was agreed to:

End of first section, "forty cents per hundred dollars on the capital stock of all incorporated cotton manufactories in this State."

The second reading was concluded, and the Bill was agreed to, and sent to the House of Representatives.

The House of Representatives returned to the Senate the following Bills, to be read a second time:

A Bill to amend an Act entitled "An Act to authorize the City Council of Charleston to issue and put in circulation notes receivable in taxes or dues to the City," ratified the twenty-first day of December, in the year of our Lord one thousand eight hundred and sixty-one; and

A Bill to authorize the Banks of this State to purchase Confederate and State securities; which received the third reading, and it was

*Resolved*, That the Bills do pass; that the titles thereof be changed; that they be called Acts.

*Ordered*, That they be sent to the House of Representatives.

A Bill to continue in force an Act entitled "An Act to extend relief to debtors, and to prevent the sacrifice of property at public sales," having been amended by the House of Representatives, on the second reading, was referred to the Committee on the Judiciary.

A Bill to amend an Act entitled "An Act to organize and supply negro labor for coast defence, in compliance with requisitions of the Government of the Confederate States," and to authorize and direct the Governor to proceed to furnish negro labor under said Act, having been amended by the House of Representatives, on second reading, was referred to the Committee on the Military.

The House of Representatives sent to the Senate,

A resolution for the appointment of Frederick A. Ford, Esq., additional Magistrate for Barnwell District and the town of Aiken; which was referred to the Committee on Accounts and Vacant Offices.

Mr. ARTHUR presented the report of the Committee on Claims and Grievances,

On the Contingent Accounts of the State House Keeper; which was ordered for immediate consideration, and was agreed to, and ordered to be sent to the House of Representatives.

Mr. GARLINGTON submitted the following report:

The Committee of Conference, appointed to meet a Committee from the House on the subject of the difference of the two Houses in relation to a resolution on the petition of Asa George, asking aid in the construction of a revolving cannon, report that the Committee of Conference have agreed to recommend that leave be granted to the House to amend the resolution as requested by the House.

The report was considered, and agreed to, and a message was sent to the House of Representatives, granting leave to amend the report pursuant to the leave asked in the message from the House of 30th January, in the Journal of the 31st.

At half-past 9, P. M., the Senate went into Secret Session, on motion of Mr. GARLINGTON, and so remained until 10 o'clock, P. M., when the session was closed, and the regular session was resumed.

A Bill to make appropriations for the year commencing in October, one thousand eight hundred and sixty-two, was made the Special Order of the Day for to-morrow, at a quarter-past 12, P. M.



Mr. WARE submitted the report of the Committee on Accounts and Vacant Offices,

On a resolution, from the House of Representatives, appointing Frederick A. Ford an additional Magistrate for Barnwell District and the town of Aiken.

Mr. McALILEY submitted the report of the Committee on Finance and Banks,

On the report of the Committee of Ways and Means, of the House of Representatives, on the petition of Wm. L. Meggett, to be refunded a war tax illegally exacted.

The reports were ordered for immediate consideration, and the House report and resolution were concurred in, and returned to the House of Representatives.

The Senate resumed the

#### GENERAL ORDERS OF THE DAY.

A Bill to confer the rights of legitimacy on Mary E. Daniel, received the second reading, was agreed to, and was returned to the House of Representatives.

Mr. MOSES offered the following resolution, which was considered, and agreed to:

*Resolved*, That the seal of secrecy be removed from the proceedings in secret session of the 3d and 4th instants, and that the Clerk do publish the Journal of these days with the regular Journal, omitting the telegrams from the Secretary of War and General Beauregard.

On motion of Mr. APPLEBY, the Senate adjourned at 10 o'clock, P. M.

## JOURNAL OF THE SENATE IN SECRET SESSION.

[AS ORDERED TO BE PUBLISHED.]

FEBRUARY 3, 1863.

The Senate, at 8, P. M., went into Secret Session, to consider the following Message and Documents from his Excellency the Governor :

## STATE OF SOUTH CAROLINA.

EXECUTIVE DEPARTMENT,  
February 3, 1863.

*Gentlemen of the Senate and House of Representatives:*

I enclose copies of dispatches just received from Mr. Seddon, Secretary of War, and General Beauregard.

I need not commend the matter therein mentioned to your early consideration.

M. L. BONHAM.

On motion of Mr. MOSES, the Message and documents were referred to the Committee of the Whole; which sat immediately, the Hon. F. J. MOSES being called to the Chair.

After some time spent therein, the Committee rose, and the PRESIDENT resumed the Chair.

Mr. MOSES, from the Committee of the Whole, submitted a report, recommending that the Senate do adopt the following resolution :

*Resolved*, That in the judgment of this General Assembly, his Excellency the Governor should, at the expiration of the present term of service of the eight regiment of State Reserves, to wit: on the 5th of February, inst., by his proclamation, retain them with their present organization in active service as State troops for thirty days; and also call into service for the same time the 1st, 4th and 10th Regiments of First Corps of Reserves: *Provided*, That persons over the age of fifty years, belonging to the 1st Regiment of Reserves, shall not be subject to the call; also, the following Bill:

A Bill to repeal the 6th section of an Act entitled "An Act to authorize and empower certain regiments to elect their field officers."

The resolution was agreed to, and ordered to be sent to the House of Representatives for concurrence.

The Bill received the first reading, and was ordered for a second reading to-morrow.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, February 3, 1863.

*Mr. President, and Gentlemen of the Senate:*

This House respectfully asks leave of the Senate to amend its resolution in relation to retaining in service the Regiments of State Reserves, by inserting, after the word "should," in the third line, the following words: "and is hereby authorized;" and also, after the word "then," in the sixth line, the following words: "in Confederate service as State troops."

By order of the House,

A. P. ALDRICH, *Speaker*.

A message was sent to the House of Representatives, granting leave to that body to amend the resolution in the manner proposed in the third line, and refusing to grant leave to amend in the sixth line.

The Secret Session was then terminated.

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FEBRUARY 4, 1863.

At 1, P. M., the Senate went into Secret Session.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, February 4, 1863.

*Mr. President, and Gentlemen of the Senate:*

This House respectfully asks for a Committee of Conference in relation to the resolution retaining the Regiments of Reserves in service, and do appoint Messrs. W. H. Evans, W. F. Hutson, Geo. A. Trenholm, W. H. Treseot, and Jas. McCullough, as the Committee on the part of the House, and ask that the Senate do appoint a similar Committee.

By order of the House,

A. P. ALDRICH, *Speaker*.

The Senate concurred, and Messrs. Garlington, Harrison, Moses, Mazyek, and Boykin, were appointed the Committee, on the part of the Senate, and a message was returned accordingly.

On motion of Mr. SIMKINS, the session was terminated.

The Senate again went into Secret Session at half-past 9, P. M.  
Mr. GARLINGTON submitted the following report:

The Committee of Conference, appointed to consider the matter of disagreement between the two Houses in relation to a resolution of the Senate, proposing to continue in service the eight Regiments ordered into Confederate service for ninety days, and to call into active service the 1st, 4th and 10th Regiments of Reserves, ask leave to report,

That they have considered the matter so committed to them, and as the result of their deliberations, submit the following resolutions; which they recommend for adoption.

Respectfully submitted,

A. C. GARLINGTON,  
*Chairman Senate Committee.*

W. H. EVANS,  
*Chairman House Committee.*

1. *Resolved*, That in the judgment of this General Assembly, his Excellency the Governor should, and is hereby authorized, by his proclamation, to continue in service as State troops for thirty days, if so long be necessary, after the expiration of their term of Confederate service, the eight Regiments of Reserves which were ordered into said service for ninety days, and also to call into service for the same term, the 1st, 4th and 10th Regiments First Corps of Reserves: *Provided*, That persons over the age of fifty years belonging to the 1st Regiment shall not be subject to the call: *And provided, further*, That the said eight Regiments shall be entitled to elect their Field Officers, and for that purpose the Adjutant and Inspector General shall order the elections, in pursuance of the Act of the Legislature, passed at this Session.

2. *Resolved*, That the Governor be requested to communicate the above resolution to the authorities in Richmond, with the express declaration that at the end of thirty days the Regiments of Reserves shall be immediately disbanded, inasmuch as they have been retained in service beyond the period contracted for, under the emergency now existing, in order to afford an opportunity to the Confederate Government to concentrate troops in Charleston for its defence.

On the question of agreeing to the first resolution, the yeas and nays were ordered to be taken, and they are as follows:

Those who voted in the affirmative, are



Hon. W. D. PORTER, President; and Messrs. Appleby, Barker, Boykin, Garlington, Harrison, Houser, Keitt, Lesesne, Murray, E. G. Palmer, Roberds, and Wilson.

Those who voted in the negative, are

Messrs. Arthur, Beaty, Blakeney, Hammond, Hart, Hope, W. D. Johnson, W. R. Johnson, Maxwell, Mazyck, McAliley, McCaw, E. H. Miller, J. W. Miller, Moses, Sessions, Simkins, and Ware.

In the affirmative, 13.

In the negative, 18.

The resolution was, therefore, rejected.

The remaining resolution, and the report, were then ordered to lie on the table.

A Bill to repeal the sixth section of an Act entitled an Act to authorize and empower certain regiments to elect their field officers, was, on motion of Mr. APPLEBY, ordered to lie on the table.

The following message was received from the House of Representatives, and a message of concurrence was returned:

HOUSE OF REPRESENTATIVES, February 4, 1863.

*Mr. President, and Gentlemen of the Senate:*

This House respectfully asks leave of the Senate to receive the report of the Committee on Conference in relation to retaining the Regiments of Reserves in service, in open session.

By order of the House,

A. P. ALDRICH, *Speaker*.

The Secret Session was then closed.

THURSDAY, FEBRUARY 5, 1863.

The Senate met at 12, M. Prayer by the Rev. Mr. Hammond.

The reading of the Journal was dispensed with, on motion of Mr. MOSES.

Mr. McALILEY gave notice that, to-morrow, he will move to suspend the 32d rule of the Senate, for the purpose of reading the Appropriation Bill and the Supply Bill the third time.

The House of Representatives returned to the Senate the following papers, in which it had concurred:

The petition of Jesse Jones, for payment for ammunition furnished to the State;

The report of the Committee on Finance and Banks,

On the petition of Elizabeth Hinson, to be refunded a Confederate war tax wrongfully paid;

The report of the same Committee,

On the petition of James Gilliam, to be refunded a Confederate war tax twice paid;

The report of the Committee on Claims and Grievances,

On the account of the Clerk of the Senate, for stationery at the present session.

The House of Representatives sent to the Senate, for concurrence, the following reports:

Report of the Committee on Privileges and Elections,

On petitions in relation to election precincts, and the reports of delegations in relation to vacancies in the Boards of Managers; which was referred to the Committee on Privileges and Elections.

The House of Representatives also sent to the Senate the following reports of the Committee of Ways and Means:

On the petition of Peter Horn, Executor of Matthew Sanford, to be refunded a war tax twice paid;

On the petition of A. G. Meyer, to be refunded a war tax twice paid;

On the petition of George M. Wever, to be refunded a war tax twice paid;

On the petition of L. P. Gaines, to be refunded a war tax twice paid;

On the petition of Robert Tuttle, to be refunded a war tax twice paid;

On the petition of John Williamson, to be refunded an excess of war tax;

On the petition of James Howell, to be refunded a war tax improperly paid;

On the petition of Jonathan Waldrop, to be refunded an excess of war tax;  
On the petition of E. P. Milliken, to be refunded a double tax;  
On Message No. 3 of his Excellency Governor Pickens;  
On the petition of Wofford College, to be refunded a war tax;  
All of which were referred to the Committee on Finance and Banks.

Mr. GARLINGTON submitted the reports of the Committee on the Military and Pensions,

On a Bill to amend an Act entitled "An Act to organize and supply negro labor for coast defence, in compliance with requisitions of the Government of the Confederate States, and to authorize and direct the Governor to proceed to furnish negro labor under said Act;"

On a Bill to repeal an Ordinance of the Convention entitled "An Ordinance to exempt overseers from the performance of military duty," and an Ordinance entitled "An Ordinance in relation to a portion of the Militia;"

On the report of the Delegation from St. Philip's and St. Michael's, in relation to the removal of negroes, and white persons incapable of taking part in its defence, from the City of Charleston;

On Message No. 4 of his Excellency the Governor, and Major Niernsee's report on river obstructions; all of which were placed in the General Orders of this day.

Mr. WARE submitted a supplemental report of the Committee on Accounts and Vacant Offices,

On the Comptroller General's Report on contingent accounts against the Lower Division of the Treasury. The report was ordered for immediate consideration, and was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The Committee on Finance and Banks was discharged from the further consideration of Message No. 3 of his Excellency the Governor, and the statement of James Tupper, Auditor.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, February 5, 1863.

*Mr. President, and Gentlemen of the Senate:*

This House respectfully refuses to concur with the Senate to substitute the resolution of Committee on Claims and Grievances, of the Senate, in the matter of claims against the State for negroes that have died while in Confederate service on the coast, for the report of the Committee on Claims, of the House; and respectfully ask for a Committee of Conference on the subject; and do appoint Messrs. Duryea, Mobley, Weatherly, Hart, and McKinstry, as the Committee, on the part of the House.

By order of the House,

A. P. ALDRICH, *Speaker*.

The Senate returned a message, assenting to the appointment of a Committee of Conference; Messrs. Arthur, Houser, J. W. Miller, Moses, and Hope were appointed the Committee of Conference, and a message was returned accordingly.

A Bill to authorize the issue of stock for the purpose of continuing the construction of the New State House; and

A Bill to amend an Act entitled "An Act to organize and supply negro labor for coast defence, in compliance with requisitions of the Government of the Confederate States, and to authorize and direct the Governor to proceed to furnish negro labor under said Act," received the third reading, were passed, titles changed to Acts, and were returned to the House of Representatives.

On motion of Mr. BEATY, the unfavorable report of the Committee on Agriculture and Internal Improvements,

On a Bill to alter and amend the third section of an Act entitled "An Act to charter a Cotton Planters' Loan Association," was ordered to lie on the table, and the Bill received the second reading, was agreed to, and was sent to the House of Representatives.

A Bill for the better organization of the militia, and for other purposes, was returned to the Senate from the House of Representatives, and having been amended in that House, on the second reading, the amendments were referred to the Committee on the Military and Pensions.

The following resolution was offered by Mr. WARE, and was considered, and agreed to, and sent to the House of Representatives:

*Resolved*, That his Excellency the Governor be requested to send to the President of the Confederate States a copy of the Bill, passed at this session, to provide for the guaranty by the State of the bonds of the Confederate States, requesting him to communicate to Congress the action of this General Assembly; and that he be further requested to send copies to the Governors of the several States of the Confederacy, to be laid before their respective Legislatures.

Mr. MOSES offered the following resolutions:

*Resolved*, That a message be sent to the House of Representatives, asking leave of that body to return to the Senate "A Bill to prohibit the sale of spirituous liquors in small quantities during the present war," which, it appears, was sent there by mistake.

*Resolved*, That a message be sent to the House of Representatives, asking leave of that House to amend the report of the Committee on Offices and Officers, on nominations for Boards of Commissioners and District Officers,



by adding, in the appointments for Sumter District, in the list of Magistrates, the name of William E. Richardson.

The resolutions were agreed to, and the messages were sent to the House of Representatives accordingly.

On motion of Mr. W. D. JOHNSON, a message was sent to the House of Representatives, asking leave to strike out, in the appointment of Magistrates for Marlboro' District, in the report of the Committee on Vacant Offices, of the House of Representatives, the name of Nathan L. Sweat, Magistrate.

Leave of absence, after this day, was granted to the Senator from St. George's, Dorchester, on account of military duty.

Leave of absence was also granted to the Senator from Marion, after this day.

The report of the Committee on the Military and Pensions,

On a Bill to repeal an Ordinance of the Convention, entitled an Ordinance to exempt overseers from the performance of military duty, and an Ordinance entitled "An Ordinance in relation to a portion of the militia;" and

The report of the Committee on Commerce, Manufactures and the Mechanic Arts,

On a Bill to afford indemnity to the manufacturers of salt, and to prevent extortion in its sale, were agreed to, and the Bills were ordered to lie on the table.

The Committee on the Military and Pensions was discharged from the further consideration of Message No. 4 of his Excellency the Governor, in relation to river obstructions, and it was ordered to lie on the table.

The House of Representatives sent to the Senate,

The report of the Committee on Claims and Grievances,

On the account of the Clerk of the Senate, for stationery, and it was considered immediately, and was concurred in, and returned to the House of Representatives.

The House of Representatives sent to the Senate, for concurrence,

A resolution in relation to the instruction of students who may offer themselves for collegiate instruction in the South Carolina College; which was referred to the Committee on the College, Education and Religion.

The House of Representatives returned to the Senate, with its concurrence.

A resolution for the appointment of proxies in the Laurens Railroad Company, in which it had concurred.

The Senate concurred in the report of the delegation from St. Philip's and St. Michael's, in relation to the removal from Charleston of negroes and white persons who are non-combatants.

The House of Representatives returned to the Senate

A Bill to raise supplies for the year commencing in October, one thousand eight hundred and sixty-two. The amendment in relation to the tax on lands, added by the Senate, on the second reading, as recorded in yesterday's Journal, was stricken out by the House of Representatives, on the third reading. The Senate concurred in the amendment of the House, and the clause was stricken out. The Senate refused to concur in the House amendment striking out the following words: "forty cents per hundred dollars on the capital stock of all incorporated cotton manufactories," and a message was sent to the House of Representatives, asking leave to restore the words. The reading of the Bill was then suspended.

Leave of absence was granted to Mr. LESESNE, for the remainder of the session, after this day.

The Senate considered the report of the Committee on the Military and Pensions,

On so much of the Message of his Excellency the Governor as relates to the reports of military officers of the State armory and the saltpetre plantation, and on the report of the Committee on the Military, of the House of Representatives, on the same subject.

Pursuant to the recommendation of the Committee, a message was sent to the House of Representatives, proposing to strike out the following from the House report, viz:

The Committee think that the agency, recommended by them in their report on the memorial of the Central Association for the relief of the soldiers, will be better than the appointment of a single agent anywhere; and to add the following:

*Resolved*, That the sum of five hundred thousand dollars, in addition to the unexpended balance of the military contingent fund, be placed at the disposal of the Governor, for military contingencies, to be paid by the Treasurer of the Upper Division.

Mr. MOSES submitted the following report:

The Committee on the Judiciary, to whom was referred the amendment of the House of Representatives to the Bill entitled "A Bill to continue in force an Act to extend relief to debtors, and to prevent the sacrifice of property at public sales," beg leave to report,

That they have examined the same, and recommend that a message be sent to the House of Representatives, asking leave to amend the same, by changing the several provisos of the House into independent sections of the Act, and wherever the words "this Act" occur in said provisos, that

they be struck out, and the words "the said Act" inserted; also, asking leave to insert, in the sixth line of the second proviso, the word "received," after the word "has;" with these changes the Committee would recommend that the Senate do concur in the amendments of the House of Representatives.

The report was agreed to, and a message was sent to the House of Representatives, asking leave to amend the Bill accordingly.

The Senate proceeded to the

### SPECIAL ORDER FOR QUARTER-PAST 12, P. M.

A Bill to make appropriations for the year commencing in October, 1862.

The following amendments were agreed to:

By Mr. MOSES:

To insert, after the word "issued," in the fiftieth line of the second section, the words "to the Keeper of the State House."

By Mr. McCRAW:

To insert, in the sixth line of the ninth section, after the word "Governor," the words "for repairing the roof of the State House, fifteen hundred dollars, if so much be necessary."

By Mr. McALILEY:

In the eighth line of the ninth section, to insert, after the word "Governor," "the sum of ten thousand two hundred and thirty-seven dollars and ninety-seven cents, if so much be necessary, for side turn-outs, and for the purchase of such cars for use on the Charleston and Savannah Railroad as was rendered necessary by a resolution of the Executive Council, to be paid upon the draft of his Excellency the Governor."

By Mr. GARLINGTON:

To insert, in the twenty-fourth line of the ninth section, after the word "necessary," the following proviso: *Provided*, That plans and specifications of said additional buildings, and estimates showing that their cost shall not exceed twenty-five thousand dollars; in said estimates the cost of any materials that may now belong to the State, and which can be used for the purpose, shall be made by the Architect of the New State House, before any part of said appropriation shall be drawn.

By Mr. GARLINGTON:

To strike out, in the ninth section, all after the word "Board," in the twenty-fifth line, to the words "two thousand," in the twenty-seventh line, and to adopt, as a substitute, the following:

The support of two cadets now in the Military Academy (one appointed by this General Assembly and the other appointed by the Governor), one thousand dollars, to be drawn and accounted for by the Board of Visitors.

By the Committee on Finance and Banks :

In the sixtieth line, of ninth section, to strike out "one hundred thousand," and to insert "two hundred thousand."

By Mr. McALILEY :

To add, at the end of the ninth section, "for the payment of interest due on bonds of Railroad Companies guaranteed by the State, where said Companies are in default, forty thousand dollars, if so much be necessary."

The Bill received the second reading, was agreed to, and was returned to the House of Representatives.

The following message was received from the House of Representatives :

HOUSE OF REPRESENTATIVES, February 5, 1863.

*Mr. President, and Gentlemen of the Senate :*

This House respectfully informs the Senate that it regrets that it is not in its power to comply with the request of the Senate, that a Bill to prohibit the sale of spirituous liquors in this State in small quantities be returned on account of mistake, as the House has indefinitely postponed the Bill.

The House respectfully grants leave of the Senate to amend the report of the Committee on Officers and Offices, by adding, for Sumter District, in the list of Magistrates, the name of Wm. E. Richardson.

By order of the House,

A. P. ALDRICH, *Speaker.*

The report was amended pursuant to the leave granted.

The House of Representatives returned to the Senate,

An Act to authorize the Banks of this State to purchase Confederate and State securities;

An Act to declare the law in relation to the proceedings of the Executive Council;

An Act to amend an Act entitled "An Act to authorize the City Council of Charleston to issue and put in circulation notes receivable in taxes or dues to the city," ratified the 21st day of December, in the year of our Lord one thousand eight hundred and sixty-one; and they were referred to the Committee on Incorporations and Engrossed Acts.

On motion of Mr. HOPE, the Senate, at half-past 3, P. M., suspended business until half-past 7, P. M.

RECESS.

At half-past 7, P. M., the PRESIDENT took the Chair, and the Senate proceeded with business.



The Committee on the Judiciary was discharged from the further consideration of the petition of James M. Richardson, praying that rights of legitimacy may be conferred on James M. Richardson, an illegitimate; and the Senate granted leave to Mr. Simkins to withdraw the petition.

Leave of absence, after this day, was granted to the Senator from St. Peter's, and after 11, A. M., to-morrow, to the Senators from Marlboro' and Darlington.

On motion of Mr. W. D. JOHNSON, a message was sent to the House of Representatives, asking leave to amend the report on District offices, by inserting the names of Robert C. Emanuel and John A. McRae, as Magistrates for Marlboro' District.

Mr. FICKLING, for Mr. WILSON, presented the petition of citizens of All Saints', asking that the election for Senator may be set aside; which was referred to the Committee on Privileges and Elections.

#### PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives returned to the Senate,

A Bill to prohibit extortion and punish extortioners. This Bill having been amended by the House of Representatives, on the third reading, the amendments were referred to the Committee on the Judiciary. Mr. MOSES gave notice that to-morrow he will move to suspend the thirty-second rule of the Senate, as far as it refers to this Bill.

The House of Representatives sent to the Senate, for concurrence,

A resolution for the employment of Acting Ordnance Officer and Clerk; and

A resolution for the appointment of Commissioners for the construction of gunboats; which were referred to the Committee on the Military and Pensions.

The House of Representatives sent to the Senate the following Bills:

A Bill to incorporate the Edisto and Ashley Canal Company;

A Bill to enable the citizens of the State who are engaged in military service to exercise the right of suffrage;

A Bill to amend an Act entitled an Act to provide for the payment by the State of the war tax of the Confederate States, and for the collection of the same from the tax payers in this State;

A Bill to provide for the payment by the State of such war tax as may be imposed by the Congress of the Confederate States during the year 1863, and for the collection of the same from the tax payers in this State;

A Bill to confer the rights of legitimacy on Mary E. Daniel; which received the third reading, and it was

*Resolved*, That the Bills do pass; that the titles thereof be changed; that they be called Acts, and be sent to the House of Representatives.

Mr. GARLINGTON submitted the report of the Committee on the Military and Pensions, on the amendments made by the House of Representatives, on the second reading, to

A Bill for the better organization of the militia, and for other purposes, and the Bill received the third reading, and it was passed; the title was changed to an Act, and it was sent to the House of Representatives.

The following message was received from the House of Representatives :

HOUSE OF REPRESENTATIVES, February 5, 1863.

*Mr. President, and Gentlemen of the Senate :*

The House respectfully grants leave to the Senate to amend the Bill entitled a Bill to continue in force an Act entitled an Act to extend relief to debtors, &c., by changing the several provisos of the House into independent sections of the Act; and whenever the words "this Act" occur in said provisos, that they be struck out, and the words "the said Act" inserted; and also grant leave to insert, in the sixth line of the second proviso, the word "received," after the word "has."

By order of the House,

A. P. ALDRICH, *Speaker*.

The Bill was amended, pursuant to the leave granted, and received the third reading; it was passed; title changed to an Act, and sent to the House of Representatives.

The following message was received from the House of Representatives :

HOUSE OF REPRESENTATIVES, February 5, 1863.

*Mr. President, and Gentlemen of the Senate :*

This House respectfully concurs to amend the report of the Committee on the Military, of the House, by striking out the following from the House report: "The Committee think that the agency, recommended by them in their report on the memorial of the Central Association for the relief of the soldiers, will be better than the appointment of a single agent anywhere." And also concur to add the following: *Resolved*, That the sum of five hundred thousand dollars, in addition to the unexpended balance of the military contingent fund, be placed at the disposal of the Governor, for military contingencies, to be paid by the Treasurer of the Upper Division.

By order of the House,

A. P. ALDRICH, *Speaker*.

The report was amended pursuant to the leave granted, and as amended, was concurred in, and returned.

The following message was received from the House of Representatives :

HOUSE OF REPRESENTATIVES, February 5, 1863.

*Mr. President, and Gentlemen of the Senate :*

This House respectfully refuses leave to the Senate to restore the amendment at the end of the first section of the Supply Bill, which amendment is "forty cents per hundred dollars on the capital stock of all incorporated Cotton Manufactories in this State."

By order of the House,

A. P. ALDRICH, *Speaker*.

The Senate returned a message, insisting on asking leave to make the proposed amendments, and asking the appointment of a Committee of Conference—informing the House that Messrs. Garlington, McAliley, and Beaty, had been appointed the Committee on the part of the Senate.

Mr. BLAKENEY offered a resolution for the appointment of Commissioners to represent the stock of the State in the meetings of the Cheraw and Darlington Railroad Company; which was agreed to, and was sent to the House of Representatives for concurrence.

Mr. ARTHUR submitted the following report; which was considered, and agreed to, and sent to the House of Representatives for concurrence :

The Committee of Conference, to whom was referred the matters of difference of the two Houses on the subject of compensation for slaves lost in the service of the State, beg leave to report:

That they have considered the matters referred, and have unanimously agreed to recommend the adoption of the following resolutions :

*Resolved*, That in the opinion of this General Assembly, it is proper and just that the State should compensate the owners of slaves taken by the authority of the State for the public service, who have died from diseases contracted in said service, and whose death or loss has been occasioned by reason of such service.

*Resolved*, That the several claims now before this Legislature, as well as all others that may hereafter arise, be presented to James Tupper, Esq., State Auditor, to be audited, and upon being satisfactorily proved, according to the principles declared by the foregoing resolution, they be paid by the Treasurer out of the military contingent fund, upon the certificate of the said Auditor; also, that said Auditor be authorized and required to

call for any additional proof that he may deem necessary to establish said claims ; and that he do take all necessary steps to present the claim of the State for the moneys so paid, to the Confederate Government, and do report his action in the premises to this Legislature at its next session.

Respectfully submitted,

E. J. ARTHUR,

*Chairman Senate Committee.*

R. S. DURYEA,

*Chairman House Committee.*

Mr. MOSES offered a resolution for suspending the 32d rule of the Senate ; which was ordered for consideration to-morrow.

On motion of Mr. MOSES, it was

*Ordered,* That when the Senate adjourns, it shall stand adjourned to meet to-morrow, at 11, A. M.

On motion of Mr. MOSES, the Senate adjourned at 10, P. M.

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FRIDAY, FEBRUARY 6, 1863.

The Senate met at 11, A. M., pursuant to adjournment. Prayer by the Rev. Mr. Walker.

The Clerk read the journal of the proceedings of yesterday.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives returned to the Senate, with its concurrence,

The reports of the Committee on Finance and Banks,

On the memorial of John Townsend and others, members of the Central Association for the relief of the soldiers of South Carolina ; and

On the petition of James N. Cochran, praying to be refunded a Confederate tax twice paid.

The report of the Committee on Agriculture and Internal Improvements,  
On the resolution in relation to iron.

The reports of the Committee on the Military and Pensions,



On a resolution in relation to the present war, transmitted to the State authorities of South Carolina by the Florida Legislature ;

On the petition of Asa George, praying aid of the State in the construction of a new revolving cannon ;

On Message No. 12 of his Excellency Governor Pickens, in relation to recording the names of persons who have fallen in the service of the country.

The report of the Committee on Claims and Grievances,

On the petition of William B. Means, praying compensation for fodder furnished the army ;

Resolution requesting the Governor to send to the President of the Confederate States an Act to provide for a guaranty of the bonds of the Confederate States ;

Resolution for granting pay and mileage to the Commissioners to examine the Code of the Statute Law of this State ;

Resolution authorizing the Boards of Commissioners for relief of soldiers' families to pay out certain funds ;

Resolution instructing the Treasurer to pay a certain sum to Dr. A. N. Talley ;

Resolution in relation to bonds on contracts with the State for the manufacture and delivery of salt.

The House of Representatives sent to the Senate the reports of the Committee of Ways and Means,

On Message No. 3 of his Excellency the Governor ;

On the petition of Josiah S. Tennent, to be relieved from a double tax execution ;

On the petition of W. W. Tyler, to be refunded an excess of war tax ;

On the petition of Charles A. Lesesne, to be refunded a tax twice paid.

On motion of Mr. McALILEY, they were postponed to the next session.

The report of the Charleston Delegation,

On the resolution proposing to rescind so much of the resolution adopted at this session of the Legislature as relates to the records of the Secretary of State ; which was referred to the Committee on the Judiciary.

The report of the Committee on Claims,

On the accounts of Wm. Lesesne, B. G. Pearson, W. S. Johnson, R. K. Rutledge, Charles Martin and Thomas N. Slawson, as witnesses, and J. McFadden, as messenger, in a contested election from Clarendon ; which was referred to the Committee on Claims and Grievances.

A resolution in relation to the discharge of certain soldiers in the Regiments of Reserves ; which was referred to the Committee on the Military and Pensions.

The report of the Committee on the Military and Pensions,  
On Message No. 1 of the Governor; which was referred to the same  
Committee.

The report of the Committee on Education, of the House of Representatives,

On the annual Free School returns; which was referred to the Committee  
on the College, Education and Religion.

The Committee on the Military and Pensions was discharged from the  
further consideration of a resolution appointing Commissioners for the con-  
struction of gunboats, and it was referred to the Committee on Finance and  
Banks.

Mr. MAZYCK submitted the report of the Committee on Privileges and  
Elections,

On the memorial of citizens of All Saints', praying that the election of  
the Senator from that Parish be set aside (recommending that the prayer  
of the petition be granted). The report was made the Special Order of the  
Day for this day, at 3, P. M.

A resolution for suspending the 32d rule of the Senate for the remainder  
of this session, offered on yesterday, was agreed to.

Leave of absence was granted to the Senator from Kingston, after 11, A.  
M., this day, on account of sickness in his family, and after 4, P. M., this  
day, to the Senator from St. Matthew's.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, February 5, 1863.

*Mr. President, and Gentlemen of the Senate:*

This House respectfully asks leave to restore one dollar and a half in the  
fourth line of the second section, in a Bill to amend an Act entitled "An  
Act to organize and supply negro labor for coast defence," and also ask  
leave to restore the following in the third section: "To be paid over to the  
State Agent, to be expended for the purpose of hiring negroes to be em-  
ployed on the coast defences." And also the following: "*Provided, further,*  
That the twelfth section of the said Act, passed on the 18th December,  
1862, be, and the same is hereby, repealed," which words were stricken  
out by the Senate.

By order of the House,

A. P. ALDRICH, *Speaker.*

The Senate returned a message, refusing to grant leave.

Mr. GARLINGTON submitted the report of the Committee on the  
Military and Pensions,

On the petition of the field officers of the 4th Regiment Reserves, praying that said Regiment be not disbanded; and

On a preamble and resolutions in relation to the eight regiments of Reserves; and also,

On a Bill to provide a District Police Guard of Military Cadets; and

On the report of the same Committee, in relation to the State Works at Greenville, recommitted to them.

The Committee was discharged from the further consideration of all these papers, and they were ordered to lie on the table.

The following reports were offered by the following gentlemen, recommending concurrence :

By Mr. WILSON : The report of the Committee on Commerce, Manufactures and the Mechanic Arts, on certain resolutions in relation to the clothing of our soldiers.

By Mr. ARTHUR : The report of the Committee on Claims and Grievances, on the report of the Committee on Claims, of the House of Representatives, on the accounts of Wm. Lesesne, B. G. Pearson, W. S. Johnson, R. K. Rutledge, Charles Martin, and Thomas N. Slawson, as witnesses, and J. M. McFadden, as messenger, in the contested election from Clarendon.

By Mr. FICKLING : On the report of the Committee on Privileges and Elections, in relation to election precincts, and filling vacancies in the Board.

By Mr. GARLINGTON : The report of the Committee on the Military and Pensions, on a resolution for the employment of acting Ordnance Officer and Clerk.

By Mr. MOSES : The report of the Committee on the Judiciary, on the report of the Charleston delegation, on the resolution proposing to rescind so much of the resolution adopted at this session of the Legislature as relates to the records of the Secretary of State.

The reports of the Senate were ordered for immediate consideration, and the House reports and resolutions were concurred in, and returned.

The Committee on the Military and Pensions was discharged from the further consideration of the report of the Committee on the Military, of the House of Representatives, on so much of Message No. — of his Excellency the Governor, as relates to the companies of Captains Boykin and Rodgers, and from resolutions in relation to the discharge of certain soldiers in the regiments of Reserves.

A Bill to vest the title of the State in certain escheated property in Rose Ann Carnighan and her heirs, received the third reading, was agreed to, title changed to an Act, and was sent to the House of Representatives.

The House of Representatives sent to the Senate

A Bill to provide for the election of members of the House of Representatives in the Congress of the Confederate States of America; which received the first reading, and was postponed to the next session.

The House of Representatives also sent to the Senate

A Bill to alter and amend the 3d section of an Act entitled "An Act to charter a Cotton Planters' Loan Association." The Bill was ordered for the third reading, and on the question of passing the Bill, the yeas and nays were ordered to be taken, and they are as follows:

Those who voted in the affirmative, are

Messrs. Arthur, Beaty, Hope, Houser, Keitt, McCaw, J. W. Miller, Moses, Simkins, Ware, and Wortham.

Those who voted in the negative, are

Hon. W. D. PORTER, President; Messrs. Barker, Boyle, Fickling, Garlington, Harrison, Maxwell, Mazyck, McAliley, E. H. Miller, Murray, Oswald, E. G. Palmer, Rhett, and Wilson.

In the affirmative, 11.

In the negative, 15.

The Senate, therefore, refused to agree to the Bill, and it was rejected.

The House of Representatives sent to the Senate the following message:

HOUSE OF REPRESENTATIVES, February 6, 1863.

*Mr. President, and Gentlemen of the Senate:*

This House respectfully asks for a Committee of Conference in relation to a Bill to organize the militia, and have appointed Messrs. Hutson, Lowry, and Jones, as the House Committee.

The House asks to restore in the Bill the amendments of the House, striking out sixteen, and inserting eighteen, wherever the former occurs in the Bill; and also, sixty, and insert fifty, wherever the former occurs in the Bill; and also, to strike out "five," at the end of section 4th; and also, to strike out, on first line, section 5th, "two separate rolls," and insert "a roll;" and also ask to restore, on first line, page 7, "and all exemptions granted by the Adjutant General under that Ordinance be repealed, and new exemptions for overseers shall be taken out, according to the provisions of this Act."

By order of the House,

A. P. ALDRICH, *Speaker*.

The Senate refused leave to amend the report, and assented to the appointment of a Committee of Conference. Messrs. Garlington, McAliley, and Rhett, were appointed the Committee of Conference, and a message was returned accordingly.



The House of Representatives returned to the Senate,  
A Bill to prevent extortion and to punish extortioners.

The House of Representatives, on the second reading, had stricken out the word "producer," in the fourth line of the printed Bill. On the question of restoring the word, the yeas and nays were ordered, and they are as follows :

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; Messrs. Barker, Boyle, Keitt, Maxwell, Mazyek, McCaw, Murray, E. G. Palmer, Rhett, Ware, and Wilson.

Those who voted in the negative, are

Messrs. Arthur, Beaty, Garlington, Hammond, Harrison, Hope, Houser, McAiley, J. W. Miller, Moses, Oswald, Simkins, and Wortham.

In the affirmative, 12.

In the negative, 13.

The word, therefore, was not restored.

On the question of agreeing to the Bill, the yeas and nays were ordered to be taken, and they are as follows :

Those who voted in the affirmative, are

Messrs. Arthur, Beaty, Garlington, Harrison, Hope, Maxwell, McAiley, McCaw, J. W. Miller, Moses, Murray, Oswald, and Wortham.

Those who voted in the negative, are

Hon. W. D. PORTER, President; Messrs. Barker, Fickling, Houser, Keitt, Mazyek, E. G. Palmer, Rhett, Simkins, Ware, and Wilson.

In the affirmative, 13.

In the negative, 11.

The Bill was, therefore, passed, the title was changed to an Act, and it was sent to the House of Representatives.

A Bill to make appropriations for the year commencing in October, A. D., 1862, and

A Bill to raise supplies for the year commencing in October, A. D. 1862, received the third reading, were passed, the titles were changed to Acts, and they were returned to the House of Representatives.

The following messages were received from the House of Representatives, and messages of concurrence were ordered to be returned :

HOUSE OF REPRESENTATIVES, February 6, 1863.

*Mr. President, and Gentlemen of the Senate :*

This House respectfully asks leave, in the matter of compensation for negroes lost in Confederate service in coast defence, to amend the report of the Conference Committee, by striking out, in second resolution, all after the word "auditor," down to the word "auditor." And also, all after the

word "claims," and insert, "and that he report to the next session of this Legislature each claim allowed, with the evidence on which his judgment is based."

By order of the House,

A. P. ALDRICH, *Speaker*.

HOUSE OF REPRESENTATIVES, February 6, 1863.

*Mr. President, and Gentlemen of the Senate :*

This House respectfully asks leave to amend the Senate resolution for suspending proceedings under a tax execution, &c., by inserting the following :

"*Resolved*, That all tax executions that have been issued against owners of lots on Sullivan's Island, whose property has been in use and possession of the military authorities of the Confederate Government during the past year, be, and the same are hereby, cancelled."

By order of the House,

A. P. ALDRICH, *Speaker*.

Mr. McALILEY presented the report of the Committee on Finance and Banks, on the report of the Committee of Ways and Means, of the House of Representatives,

On the Military Accounts and the Contingent Fund ;

On the petitions of the following persons, to be refunded war taxes twice paid ;

L. P. Gaines ;

George M. Wever ;

A. G. Mayer ;

Peter Horn, Executor of Matthew Sanford ;

Robert Tuttle ;

E. P. Milliken.

On the petition of the following persons, to be refunded taxes improperly paid :

John Williamson ;

James Howell ;

Jonathan Waldrop ;

B. E. Kiddell.

On Message No. 13 of his Excellency Governor Pickens ;

On petition of Wofford College, to be refunded a war tax ;

On resolution appointing Commissioners for the construction of gunboats ;

All of which were ordered for immediate consideration, and the House reports and resolutions were agreed to, and ordered to be returned to the House of Representatives.

The following message was received from his Excellency the Governor, with the accompanying dispatch, and were referred to the Committee on the Military and Pensions:

EXECUTIVE DEPARTMENT, COLUMBIA, February 6, 1863.

*Gentlemen of the Senate and House of Representatives:*

I herewith transmitt for your information a dispatch just received from General W. S. Walker, Commanding at Pocotaligo.

M. L. BONHAM.

POCOTALIGO, February 6.

*To Governor M. L. BONHAM:*

Sixty of the enemy's vessels in sight at Port Royal Entrance. If attacked, the three Regiments Reserves are necessary to my defence.

W. S. WALKER, *Brig. Gen.*

The Committee on the Military and Pensions was discharged from the consideration of the message and dispatch, and the consideration of the same was temporarily suspended.

The Senate proceeded to the

### SPECIAL ORDER FOR 3, P. M.,

The following report of the Committee on Privileges and Elections:

The Committee on Privileges and Elections, to whom were referred certain petitions of sundry citizens of All Saints' Parish, praying that the election of Senator for the said Parish be set aside, have had the same under consideration, and have taken testimony relative thereto, which is herewith submitted.

It appears from the certificate of the Managers, that the sitting member was declared to be elected by a majority of fourteen votes. It was proved and admitted that the poll at the lower end of the Election District was not opened, and that the number of votes usually received at that poll was between thirty and forty-five, a number much more than sufficient to overbalance the majority in favor of the sitting member. On this state of facts, the Committee are of opinion that the election ought to be set aside, and they accordingly so recommend.

Respectfully submitted,

A. MAZYCK, *For Committee.*

On the question of agreeing to the report, the yeas and nays were ordered to be taken, and they are as follows, Mr. WORTHAM having asked and been excused from voting:

Those who voted in the affirmative, are

Messrs Barker, Maxwell, Mazyck, J. W. Miller, Murray, E. G. Palmer, Rhett, and Wilson.

Those who voted in the negative, are

Hon. W. D. PORTER, President; Messrs. Arthur, Beaty, Boyle, Fickling, Garlington, Hammond, Harrison, Hope, Manning, E. H. Miller, Moses, Oswald, Simkins, and Ware.

In the affirmative, 8.

In the negative, 15.

The report was, therefore, not agreed to.

The following message was taken from the table, and a message of concurrence was returned :

HOUSE OF REPRESENTATIVES, February 4, 1863.

*Mr. President, and Gentlemen of the Senate :*

This House respectfully informs the Senate that the resolution of adjournment was amended by striking out Tuesday next, at 5, P. M., and inserting "Friday," but by a clerical mistake in the message to the Senate, the day only was asked to be stricken out. The House now respectfully asks that the Senate strike out 5, P. M.

By order of the House,

A. P. ALDRICH, *Speaker*.

On motion Mr. MAZYCK, the Senate, at 4½, P. M., suspended business until 7, P. M.

## RECESS.

At 7, P. M., the PRESIDENT resumed the Chair, and the Senate proceeded with business.

The House of Representatives returned to the Senate,

An Act to vest the title of the State in certain escheated property in Rose Ann Carnighan and heirs, and it was referred to the Committee on Incorporations and Engrossed Acts.

The House of Representatives returned to the Senate, with its concurrence, the following papers :

The reports of the Committee on Finance and Banks,

On the petition of B. E. Kiddell, praying a return of a portion a war tax illegally collected ; and

On the petition of David Ramsay, Administrator of Eleanor Ramsay, to have an execution for taxes staid.

The report of the Committee on Claims and Grievances,

On the contingent account of the State House Keeper.



The report of the Special Committee,

On so much of Message No. 12 of his Excellency Governor Pickens as relates to the notice given to the Executive Council in reference to acting with said Council since the meeting of the General Assembly.

Resolution for suspending proceedings under a tax execution against the property of G. W. Roberts and G. Truesdale.

Report of the Committee on the Judiciary,

On the Reports of the Solicitors on District offices and officers.

Report of the Committee on Accounts and Vacant Offices,

On the contingent accounts of the Lower Division.

The report of the Special Committee,

On so much of Message No. 2 of his Excellency Governor Pickens as relates to the Executive Council, its documents, &c.

Resolution for the appointment of proxies to represent the stock of the State in the Cheraw and Darlington Railroad Company.

The report of the Committee of Conference,

On the matters of difference between the two Houses in relation to compensation for slaves lost in the public service.

Resolution for the appointment of proxies to represent the stock of the State in the Charleston and Savannah Railroad Company.

The House of Representatives sent to the Senate

Resolutions in reference to the election of members of the Confederate Congress; which were referred to the Committee on Privileges and Elections.

The report of the Committee on the Military,

On petitions from sundry citizens of Marion District; which was referred to the Committee on the Military and Pensions.

Mr. GARLINGTON submitted the following report :

The Committee of Conference, to whom was referred the matters of difference between the two Houses in relation to a Bill for the better organization of the Militia, and for other purposes, ask leave to report :

That they have agreed to recommend that the words "eighteen" and "fifty" in the first line of the third section, which were stricken out by the Senate, be restored; also, that the word "five," in the last line of the fourth section, which was restored by the Senate, after having been stricken out by the House, be stricken out. They also recommend that the word "sixteen," in the fourth line of the eighth section, which was stricken out by the House and restored by the Senate, be allowed to remain in the Bill; and that the amendment of the House to the thirteenth section, which was stricken out by the Senate, be restored, to wit : "And all exemptions granted by the Adjutant General under that Ordinance be repealed, and new

exemptions for overseers shall be taken out, according to the provisions of this Act."

Respectfully submitted,

A. C. GARLINGTON,

*Chairman Senate Committee.*

W. FERGUSON HUTSON,

*Chairman House Committee.*

On the question of agreeing to the report, and sending a message to the House of Representatives granting leave accordingly, Mr. MOSES moved the following amendment, viz: To refuse leave to the House to restore the 13th section, as follows: "And all exemptions granted by the Adjutant General under that Ordinance be repealed, and new exemptions for overseers shall be taken out, according to the provisions of this Act."

The amendment was agreed to. The report, as amended, was agreed to, and a message was sent to the House of Representatives accordingly.

The House of Representatives sent to the Senate the following resolutions:

*Resolved, unanimously,* That the three Regiments of Reserves now at or near Poetotaligo, in view of the apparent necessity, be requested by the Governor to continue in service for thirty days, unless sooner discharged, and that he communicate the same as the wish of this Legislature.

*Resolved, unanimously,* That the Governor be authorized to receive any or all of said Regiments as volunteers for a period of thirty days, unless sooner discharged.

Mr. GARLINGTON offered the following amendment, and moved that a message be sent to the House of Representatives accordingly, which was ordered:

*Resolved,* That in consideration of the services of which those persons who are liable to conscription under the late call of the President of the Confederate States, have already performed in these regiments, and may hereafter, under the call authorized to be made by the Governor, it is the opinion of this General Assembly that they should not be assigned to duty as conscripts immediately on the expiration of the said thirty days, but should be permitted to return home, and be subject only to the regular enrollment ordered through the Commandant of Conscripts of this State, with all the rights and privileges of others who are liable to conscription, and who have not been in service in said regiments.

The resolution was agreed to, and a message was sent accordingly.

Message No. 7 of his Excellency the Governor was ordered to lie on the table.

The following message was received from the House of Representatives, and a message of concurrence was ordered :

HOUSE OF REPRESENTATIVES, February 6, 1863.

*Mr. President, and Gentlemen of the Senate :*

This House respectfully insists upon its amendment to restore one dollar and a-half in the 4th line of the second section of a Bill to organize and supply negro labor; and also insists upon restoring the following in the third section: "to be paid over to the State Agent, to be expended for the purpose of hiring negroes to be employed in coast defence;" and also the following: "*Provided, further,* That the twelfth section of the said Act, passed on the 18th December, 1862, be, and the same is hereby, repealed."

By order of the House,

A. P. ALDRICH, *Speaker.*

The following message was received from the House of Representatives :

HOUSE OF REPRESENTATIVES, February 6, 1863.

*Mr. President, and Gentlemen of the Senate :*

This House respectfully concurs in the amendment of the Senate to the report of the Committee on Vacant Offices, of the House, nominating for Boards of Commissioners of District officers, &c., by striking out John Byars, as Magistrate, and inserting in lieu thereof G. W. Bonner, for Spartanburg District; and also for Marlboro' District, to strike out Nathan L. Sweat, and insert Robert C. Emanuel and John A. McRae, as Magistrates.

By order of the House,

A. P. ALDRICH, *Speaker.*

The report was amended pursuant to the leave granted, and as amended, was concurred in, and returned to the House of Representatives.

At 10 minutes to 9, P. M., on motion of Mr. ARTHUR, a call of the Senate was ordered, when the following Senators answered to their names :

Hon. W. D. PORTER, President; Messrs. Arthur, Barker, Beaty, Garlington, Hammond, Harrison, Hope, Maxwell, Mazyck, McAliley, McCaw, E. H. Miller, J. W. Miller, Moses, Murray, Oswald, E. G. Palmer, Rhett, Simkins, Ware, and Wilson.

A quorum of the Senate was not present, and business was suspended. The Messenger was despatched to summon the absent Senators.

The absent Senators' names were again called, when Mr. Fickling and Mr. Boyle answered to their names, and a quorum was present.

The following message was received from the House of Representatives :

HOUSE OF REPRESENTATIVES, February 6, 1863.

*Mr. President, and Gentlemen of the Senate:*

This House respectfully insists upon its amendment to add after the word hardware, "gold and silver coin," and after poultry, "sterling exchange," in the first section of a Bill to prohibit and punish extortion.

By order of the House,

A. P. ALDRICH, *Speaker*.

Mr. WILSON moved that a message of refusal be sent, which was ordered to be decided by yeas and nays, and they are as follows :

Those who voted in the affirmative, are

Hon. W. D. PORTER, President ; Messrs. Barker, Boyle, Fickling, Hammond, Mazyck, McAliley, McCaw, J. W. Miller, Moses, Murray, Oswald, E. G. Palmer, Ware, and Wilson.

Those who voted in the negative, are

Messrs. Beaty, Harrison, Hope, Maxwell, E. H. Miller, Rhett, and Simkins.

In the affirmative, 15.

In the negative, 7.

A quorum not being present, a second call was made, when the following Senators answered to their names :

Hon. W. D. PORTER, President ; Messrs. Barker, Beaty, Boyle, Bull, Fickling, Garlington, Hammond, Harrison, Hope, Maxwell, Mazyck, McAliley, McCaw, E. H. Miller, J. W. Miller, Moses, Murray, Oswald, E. G. Palmer, Rhett, Simkins, Ware, and Wilson.

A quorum being present, the yeas and nays were called on the motion of the Senator from Prince George, Winyah.

Those who voted in the affirmative, are

Hon. W. D. PORTER, President ; Messrs. Barker, Boyle, Bull, Fickling, Hammond, Mazyck, McAliley, McCaw, E. H. Miller, J. W. Miller, Moses, Murray, Oswald, E. G. Palmer, Ware, and Wilson.

Those who voted in the negative, are

Messrs. Beaty, Garlington, Harrison, Hope, Maxwell, Rhett, and Simkins.

In the affirmative, 17.

In the negative, 7.

The motion, therefore, prevailed, and the message was sent.

The House of Representatives returned to the Senate



An Act for the better organization of the Militia, and for other purposes, which was referred to the Committee on Incorporations and Engrossed Acts.

Mr. RHETT presented the report of the Committee on the College, Education and Religion,

On the report of the House Committee on Education, on the Treasurer's report to the honorable Board of Trustees of the South Carolina College.

The House report was concurred in, and ordered to be returned.

Mr. SIMKINS presented resolutions complimentary to the women of the South; which were agreed to, and ordered to be sent to the House of Representatives for concurrence, and are as follows:

Whereas the women of the South have contributed to the prosecution of our present struggle for independence all the aid and comfort their gentle but heroic hearts could devise, as well by the encouragement of their applause as by the manifold products of their skill and industry; and whereas the soldiers of the South, ever brave and patriotic, have been doubly fired to the discharge of their duties by the lovely charities and devoted sympathies of these patriot sisters in a common cause; therefore, be it

*Resolved, unanimously,* That this General Assembly hereby testifies its admiring appreciation of their services, and warmly accords to them the praise of having contributed largely to the rapid progress of our country's deliverance from the threatened vengeance of a foe who seeks to desolate the homes of which they are the ornament and pride.

Mr. RHETT presented the report of the Committee on the College, Education and Religion,

On the report of the House Committee on Education, on the Annual returns of Commissioners of Free Schools of the several Districts and Parishes.

The House report was concurred in, and ordered to be returned.

Mr. RHETT also presented the report of same Committee,

On the report of the Committee on Education, of the House, in relation to the instruction of students who may offer themselves for instruction in the South Carolina College; which was ordered to lie on the table.

The House of Representatives sent to the Senate a resolution authorizing and requiring the Comptroller General to report the amounts of the bonds of the various Tax Collectors of the different Districts and Parishes; which was concurred in, and ordered to be returned to the House of Representatives.

The following message was received from the House of Representatives:

## JOURNAL OF THE SENATE,

HOUSE OF REPRESENTATIVES, February 6, 1863.

*Mr. President, and Gentlemen of the Senate :*

This House respectfully refuses to amend the House resolutions in regard to the three Regiments of Reserves, &c., by adding the annexed: "*Resolved, 3d*, That in consideration of the services those persons who are liable to conscription under the late call of the President of the Confederate States have already performed in these regiments, and may perform hereafter under the call authorized to be made by the Governor, it is the opinion of this General Assembly that they should not be assigned to duty as conscripts immediately on the expiration of the said thirty days, but should be permitted to return home, and be subject only to the regular enrollment ordered through the Committee of Conscripts of this State, &c.

By order of the House,

A. P. ALDRICH, *Speaker*,

The Senate receded from asking further leave; and sent a message asking leave to amend the second resolution by striking out "said," in second line of second resolution, and inserting the words "the eleven" in lieu thereof, and in third line to insert the words "of Reserves," after Regiments. To this the House of Representatives returned the following reply:

HOUSE OF REPRESENTATIVES, February 6, 1863.

*Mr. President, and Gentlemen of the Senate :*

This House respectfully concurs with the Senate to amend the second resolution of the House in regard to the Regiments of Reserves, &c., by striking out "said," and inserting "eleven," &c.

By order of the House,

A. P. ALDRICH, *Speaker*.

The resolution was amended pursuant to the leave granted, and as amended, the resolutions were concurred in, and returned to the House of Representatives.

The House of Representatives sent to the Senate the following message, and a message was returned, granting leave to amend the Bill as requested:

HOUSE OF REPRESENTATIVES, February 6, 1863.

*Mr. President, and Gentlemen of the Senate :*

This House respectfully insists upon its amendment to the Bill to prohibit extortion and punish extortioners, by adding, after the word "hard-

ware," in the first section, "gold and silver coin," and after the word "poultry," in the same section, "sterling exchange."

By order of the House,

A. P. ALDRICH, *Speaker*.

At half-past 11, P. M., the Senate, on motion of Mr. HAMMOND, suspended business for 15 minutes.

### RECESS.

At the expiration of the time for which the Senate had suspended business, the PRESIDENT resumed the Chair, and the Senate proceeded with business.

The House of Representatives returned to the Senate

An Act to prohibit extortion and punish extortioners; which was referred to the Committee on Incorporations and Engrossed Acts.

The Committee on the Military and Pensions was discharged from the further consideration of the report of the Committee on the Military, of the House of Representatives, on the petition from citizens of Marion District, complaining of certain allegations made in the report of the Chief of the Military Department of South Carolina, praying investigation.

The report being ordered for immediate consideration, it was concurred in, and returned to the House of Representatives, with the resolutions accompanying the same.

The House of Representatives returned to the Senate,

A resolution complimentary to the women of the Confederate States, in which it had concurred.

Mr. WARE, from the Committee on Incorporations and Engrossed Acts, reported that the Acts which had been passed at the present session of the General Assembly had been engrossed, and were now ready for ratification.

On motion of Mr. WARE, a message was sent to the House of Representatives, inviting that House to attend in the Senate Chamber forthwith, for the ratification of the Acts.

Immediately thereafter, the Speaker and Members of the House, attended by its officers, appeared in the Senate Chamber, when the following Acts were duly ratified, in the presence of the members of both branches of the General Assembly:

## ACTS ORIGINATING IN THE SENATE.

1. An Act to incorporate the Wando, Wambaw and Winyah Canal Company.

2. An Act to continue of force an Act entitled "An Act to authorize certain Building and Loan Associations to suspend the call for monthly installments."

3. An Act to increase the fees of Sheriffs for dieting persons confined in jail.

4. An Act to amend the charter of the Bank of Charleston, South Carolina.

5. An Act to provide against dearths of salt.

6. An Act to amend an Act entitled "An Act to make appropriation in aid of the families of soldiers," and to repeal an Act entitled "An Act to afford aid to the families of soldiers," ratified on the twenty-first day of December, in the year of our Lord one thousand eight hundred and sixty-one.

7. An Act to incorporate, with uniform rights, powers and privileges, Protestant Episcopal Congregations in South Carolina.

8. An Act to prevent and punish the planting and cultivating in this State over a certain quantity of cotton during the present year.

9. An Act to authorize the Banks of this State to purchase Confederate and State securities.

10. An Act to amend an Act entitled "An Act to authorize the City Council of Charleston to issue and put in circulation, notes receivable in taxes or dues to the city," ratified the twenty-first day of December, in the year of our Lord one thousand eight hundred and sixty-one.

11. An Act to declare the law in relation to the proceedings of the Executive Council.

12. An Act to continue in force an Act entitled "An Act to extend relief to debtors, and to prevent the sacrifice of property at public sales."

13. An Act to vest the title of the State in certain escheated property in Rose Ann Carnighan and her heirs.

14. An Act to amend an Act entitled "An Act to organize and supply negro labor for coast defence, in compliance with requisitions of the Confederate States," and to authorize and direct the Governor to proceed to furnish negro labor under said Act.

15. An Act for the better organization of the Militia, and for other purposes.

16. An Act to prohibit Extortion and punish Extortioners.



## ACTS ORIGINATING IN THE HOUSE OF REPRESENTATIVES.

1. An Act to extend some of the provisions of an Act entitled "An Act in reference to the suspension of specie payments by the Banks of this State, and for other purposes," to the first day of January, in the year of our Lord one thousand eight hundred and sixty-four.
2. An Act to grant the aid of the State to the Cheraw and Coal Fields Railroad Company.
3. An Act for the appointment of Commissioners of the Poor for Lancaster District.
4. An Act to refund to the Soldiers' Boards of Relief for Barnwell and Laurens Districts, and for St. Matthew's and Christ Church Parishes, moneys advanced and expended by them, as Boards of Relief, out of their private funds.
5. An Act to establish and re-charter certain Roads, Bridges and Ferries, and for other purposes.
6. An Act to vest in the Confederate Government a part of the Columbia Canal for the term of twelve years.
7. An Act to charter the Palmetto Exporting and Importing Company.
8. An Act to provide for the appointment of Commissioners of the Poor for Darlington District and Chesterfield District.
9. An Act to charter the Atlantic Steam Packet Company of the Confederate States.
10. An Act to incorporate certain Religious and Charitable Societies, and to renew and amend the charters of others heretofore granted.
11. An Act to incorporate the Edisto and Ashley Canal Company.
12. An Act to provide for a guaranty by the State of the Bonds of the Confederate States.
13. An Act to authorize the Bank of the State to increase its issue of small bills.
14. An Act to authorize the issue of Stock for the purpose of continuing the construction of the New State House.
15. An Act to confer the rights of legitimacy on Mary E. Daniel.
16. An Act to amend an Act entitled "An Act to provide for the payment by the State of the War Tax of the Confederate States, and for the collection of the same from the tax-payers in this State."
17. An Act to provide for the payment by the State of such War Tax as may be imposed by the Congress of the Confederate States during the year one thousand eight hundred and sixty-three, and for the collection of the same from the tax-payers in this State.

18. An Act to enable the citizens of the State, who are engaged in military service, to exercise the rights of suffrage.

19. An Act to provide for a guaranty by the State of the Bonds of the Confederate States.

20. An Act to raise supplies for the year commencing in October, in the year of our Lord one thousand eight hundred and sixty-two.

21. An Act to make appropriations for the year commencing in October, in the year of our Lord one thousand eight hundred and sixty-two.

When the members of the House of Representatives had retired, Mr. OSWALD moved that a message be sent to the House of Representatives, informing the House that the Senate had disposed of the business of the General Assembly, and was now ready to adjourn, *sine die*.

The message was delivered orally by the Clerk, and immediately thereafter a similar message, delivered in a similar manner, was received from the House of Representatives.

Mr. McALILEY moved that the Senate do now adjourn. Whereupon the PRESIDENT, at 20 minutes past 1, A. M., declared the Senate adjourned, *sine die*.

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**JOURNAL**  
OF THE  
*Senate of the State of South Carolina,*  
AT THE  
CALLED SESSION OF APRIL, 1863.

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JOURNAL  
OF THE  
SENATE OF THE STATE OF SOUTH CAROLINA.

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AT THE CALLED SESSION OF APRIL, 1863.

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FRIDAY, APRIL 3, 1863.

At 7, P. M., the members of the Senate assembled in the Senate Chamber, at Columbia. Hon. W. D. PORTER, President of the Senate, and one of the representatives in this body from the Parishes of St. Philip and St. Michael, took the Chair. The Clerk read the following Proclamation from his Excellency the Governor :

STATE OF SOUTH CAROLINA.

EXECUTIVE DEPARTMENT,  
COLUMBIA, March 28, 1863.

*By his Excellency M. L. BONHAM, Governor of the State aforesaid.*

By virtue of the authority vested in me to convene the General Assembly on extraordinary occasions, I call upon the two Houses thereof to assemble in their respective Halls, on Friday, the 3d day of April next, at 7 o'clock, P. M., to consider important matters deeply affecting the interests of the State and the Confederacy, which have arisen since the close of the last session.

Given under my hand, and the seal of the State, at Columbia, this twenty-eighth day of March, A. D. one thousand eight hundred and sixty-three.

M. L. BONHAM.

WM. R. HUNTT, *Secretary of State.*

The Clerk having called the roll, the following Senators answered to their names :

Hon. E. J. Arthur,	Richland.
" S. W. Barker,	St. John's, Berkeley.
" Robert Beaty,	Union.
" A. H. Boykin,	Kershaw.
" C. Ryan Boyle,	St. Paul's.
" D. H. Ellis,	Prince William's.
" A. C. Garlington,	Newberry.
" P. T. Hammond,	Lancaster.
" John C. Hope,	Lexington.
" David Houser,	St. Matthew's.
" W. D. Johnson,	Marlboro'.
" W. R. Johnson,	Marion.
" Geo. D. Keitt,	Orange.
" Benj. W. Lawton,	Barnwell.
" J. L. Manning,	Clarendon.
" Robert Maxwell,	Pickens.
" Alex. Mazyck,	St. James', Santee.
" J. W. Miller,	Spartanburg.
" F. J. Moses,	Sumter.
" Geo. W. Oswald,	St. Bartholomew's.
" S. W. Palmer,	St. Stephen's.
" W. G. Roberds,	St. Peter's.
" T. Edwin Ware,	Greenville.
" Benj. H. Wilson,	Prince George's, Winyah.

Mr. HOPE offered the following resolution, which was considered, and agreed to:

*Resolved*, That the Clerk present a message to the House of Representatives, informing that body that the Senate have met, pursuant to the proclamation of his Excellency the Governor, that a quorum is present, and ready to proceed with the business of the General Assembly.

The message was accordingly sent, and was delivered orally by the Clerk. A similar message, delivered orally by the Clerk of the House of Representatives, was communicated to the Senate by that House.

Mr. ARTHUR moved that a Committee be appointed to wait on his Excellency the Governor, and inform him that the Senate had met in obedience to his proclamation, a quorum of Senators being present, and was ready to receive any communication he might be pleased to make to them.

The motion was agreed to, and Messrs. Arthur, W. R. Johnson, and Keitt were appointed the Committee.

Mr. ARTHUR immediately reported that the Committee had discharged the duty assigned to them, and that his Excellency the Governor had informed the Committee that he would communicate with the Senate forthwith.

The following Message was then announced and read to the Senate, and, with the accompanying documents, was ordered to be printed:

### MESSAGE NO. 1.

EXECUTIVE DEPARTMENT, COLUMBIA, April 3, 1863.

*Gentlemen of the Senate and House of Representatives:*

Since your last adjournment, a mighty stride towards despotism has been made by the Government of the North, indicative of a fixed purpose on the part of the dominant party, if possible, to conquer and destroy the South. The sword and purse have been placed almost absolutely at the disposal of their President, in utter disregard of the Federal Constitution, making him virtually a despot. So far from this exciting a spirit of resistance, as many have vainly expected, from every portion of the North there comes now nothing but the note of preparation for a vigorous prosecution of the unholy war. The most sanguine must have abandoned all hopes of peace from foreign intervention or negotiation; from exhaustion of the enemy's men and means; or from such resistance on the part of his subjects to Lincoln's tyrannical rule. With his control of the purse and power of draft, there will be no lack of men for his armies. It does not become us, then, to shut our eyes to the fact that there can be no reasonable hope of peace with his consent during his term of office. It only remains for the people of this Confederacy, through themselves and their constituted State and Confederate authorities, to make adequate preparation to repel successfully the vandal attack. In their hands are their own destinies. With a country rich in all the resources which constitute the wealth of a nation; the finest type of Government that the world ever beheld; a refined, cultivated and enlightened people; an army perhaps not surpassed, at any period of time, in all the qualities which make troops invincible; contending for all that man in every age has held dear; it is their mission to go on making every preparation, submitting cheerfully to every sacrifice, and putting forth vigorously every effort necessary to secure the great boon which their fathers bequeathed them—Independence.

This state of our foreign relations, and important developments in our own internal policy, which I shall proceed to indicate, have induced me to convene your bodies. Such measures as you, in your wisdom, may devise to meet the emergency, I shall heartily endeavor to carry into effect.



It is much to be feared that while your Act to limit the production of cotton to three acres to the full hand will restrain such as, having overflowing granaries, contemplate withholding their grain from market and planting cotton almost exclusively, it has yet induced many, as I am informed, who purposed planting little, if any, cotton, to plant the full number of acres allowed by law. And this is justified upon the ground that your statute is equivalent to an announcement by the chosen Representatives of the people that such a course is not unpatriotic. If this feeling prevails extensively, it will be readily perceived what must be the result. All fertilizers will be put on the cotton lands, to stimulate them to the highest production, while the corn lands will be thus proportionately impoverished. In my first Message, in January last, in commending to your favorable consideration the Georgia law, I recommended a reduction of the number of acres below three. With the lights now before me, I recommend an amendment of your Act, so as to prohibit the planting over a half, or at most, one acre to the full hand, and that the hands to be enumerated shall only be such as work in the crop. I invite your first attention to this subject, and recommend, in the event a further restriction is imposed, that the two Houses ratify the Act immediately after its passage.

The spirit of speculation has recently made such alarming strides in this State as to render your interposition necessary to arrest the evil. Large sums are invested in flour, corn, bacon, and other articles of prime necessity, to the monopoly, almost, of such articles in certain sections of the country, and they are withheld from market, or are being exported beyond the limits of the State, to the great enhancement of prices, and to the manifest injury of the consumers, especially the families of those whose producing force is in the army. Under these circumstances, I have called into exercise the power conferred upon me by the Constitution, to prohibit, for thirty days, the exportation of provisions from this State, but with some modifications which I felt were due to our sister States and the Confederate Government. I have not gone, so far, beyond the retention of these articles within the limits of the State, and your action is requisite to enable me to carry fully into effect this clause of the Constitution, as also to continue the prohibition without interruption, if you should deem it advisable. I recommend the passage of an Act which will authorize the Governor, through proper agents, to dispose, at their market value, of such articles as have been or may be seized *in transitu*, and after paying all expenses incurred out of the proceeds, to retain a certain proportion, to be distributed among the Soldiers' Boards of Relief, the remainder to be returned to the owner—or such other appropriate legislation as you may deem better adapted to the case. I also recommend that you adopt some legislation to arrest the purchase and monopoly of articles of prime necessity, even when it is not intended to export



them beyond the limits of the State. The monopoly and withholding from market of supplies is most detrimental to the true interests of the whole country, now involved in such a war as has not been seen in modern times.

Your Act, ratified 18th December last, to suppress the undue distillation of spirits from the cereal grains of the State, though stringent in its penalties, does not accomplish its object. I am informed of numerous violations of its provisions in various portions of the State, but have not yet heard of the first prosecution. Indeed, I learn from some of the most respectable citizens that no one seems willing to become an informer. It might be well to give the informer one-half the fine, but I am free to confess that I doubt its success even then. Some very worthy citizens of the State have urged the Executive to employ agents for the purpose of suppressing unlicensed distillation, which of course he has not the power to do. This is a crying evil, and mostly felt in the grain-growing Districts, where the distilleries have heretofore been most abundant. The complaints to me from those sections are so numerous that this subject constitutes one of the principal objects of your convocation.

The permits authorized by me under the proviso in the Act to distil a limited quantity, for medicinal purposes alone, is as yet probably far short of the absolute medicinal wants of the whole State. For many Districts there have been, and doubtless will be, no applications. I regret to say, that I hear rumors of under-lettings and violations of the contracts, though not in any tangible form, which early steps will be taken to investigate. The sale under the contracts I have endeavored to guard in every possible way. I am not sure but that all distillation "for medicinal purposes alone," should be limited to a single District, say the central District of the State, under the charge of a competent agent, subject to the control of the Executive. But the trial made of the present system does not enable me to make any definite recommendation on this point.

This entire subject is commended to your earnest consideration, and I trust you will devise some means by which the undue distillation of the cereals (and I would add molasses) may be, for the present, effectually suppressed. The enormous profits on whisky afford, apparently, an irresistible inducement to distil grain, and the unwillingness of the citizens and officials to give information and prosecute is such that the consumption of grain by distillation, without any permit, is a great evil. All supplies which the country affords are needed for our armies in the field and our people at home. There is no limit to the capacity of the Confederate States now to produce everything requisite to carry on the war for an indefinite period. While our soldiers are proving themselves equal to the enemy everywhere, we at home may ruin our cause by an unwise failure properly to develop our resources and preserve our supplies. The two great questions with us

are our finances and our supplies. The Confederate Government is endeavoring to regulate the former—the latter the State Governments and the people themselves must regulate, and upon them rests a heavy responsibility.

The Act to supply negro labor for coast defences, experience has shown, cannot be made effectual for the accomplishment of its objects. I have ascertained, from the United States Census of 1850, an abstract of which is herewith transmitted, that each division, as now arranged by the Act, contained then at least five times as many road hands as are called for by the Confederate General, and at this juncture, doubtless, contains more. Not over one-half of the road hands of any one division has heretofore been sent to the coast. If, therefore, each division would furnish one-half of its force not heretofore sent down, (that is, one-fourth of its whole force,) it would afford largely more than the number called for. But the second division, the only one whose time so far has arrived to respond to the call for its half, has furnished less than one-fifth of the number called for by the Confederate General. While a distrust as to the treatment of the negroes, and also, as to their prompt return, deters some from sending their portion of the labor, the fine is too light to compel any. If that were adequate, the process of collection is too slow; each fine, by law, having to be sued for in the Court of Common Pleas, after being assessed and imposed by the Commissioners. And when collected, there is still no authority for the Commissioners to pay the sum to the State Agent, who might therewith procure other labor. Some more expeditious mode for procuring the labor, and imposing and collecting the fines, will have to be adopted to secure the success of the scheme.

Some Commissioners have doubted whether less than a quorum of the Board can fill vacancies. Many Commissioners being in the army, it may be well for the Legislature at its present session, for this particular purpose, to fill the vacancies, and so to amend the Act that one or more Commissioners may appoint the number requisite to constitute a quorum, the vacancies to be filled from among such as are exempt from road duty, if necessary.

I herewith transmit a copy of a recent correspondence with Colonel John S. Preston, commandant of Conscripts for South Carolina, upon a subject which I presume will give rise to no embarrassment. My action in the premises, as the Executive of the State, has been taken in accordance with the dictates of my best judgment; but as some members of the Legislature entertain views differing somewhat from my own as to the construction to be placed upon your recent Act connected with the subject, I have deemed it proper to lay the matter before you, for such action as you may consider advisable.

Upon your own deliberations, and my humble efforts to carry out your decisions, I invoke the blessings of the Almighty.

M. L. BONHAM.

Mr. GARLINGTON offered the following resolutions, which were considered, and agreed to, and the Message was referred accordingly:

*Resolved*, 1. That so much of Message No. 1 of his Excellency the Governor as relates to limiting the production of cotton, and to the distillation of spirits from the cereal grains of the State, be referred to the Committee on Agriculture and Internal Improvements.

*Resolved*, 2. That so much as relates to the prohibition of the exportation of provisions from the State, and recommends legislation on that subject, be referred to the Committee on the Judiciary.

*Resolved*, 3. That so much as recommends legislation on the subject of the purchase and monopoly of articles of prime necessity, be referred to the Committee on Commerce, Manufactures and the Mechanic Arts.

*Resolved*, 4. That so much as relates to the supply of negro labor for coast defences, be referred to the Committee on the Military and Pensions.

*Resolved*, 5. That so much as relates to the correspondence between his Excellency the Governor and Colonel John S. Preston, Commandant of Conscripts for South Carolina, be referred to the Committee on Confederate Relations.

On motion of Mr. GARLINGTON, the Senate adjourned at twenty minutes to 9, P. M.

SATURDAY, APRIL 4, 1863.

The Senate met at 12, M. Prayer by the Rev. Mr. Martin.  
The Clerk read the Journal of the proceedings of yesterday.

#### ADDITIONAL SENATORS.

Hon. J. W. Blakney,	Chesterfield;
" R. L. Hart,	Darlington;
" I. K. Furman,	St. Thomas' and St. Dennis';
" H. D. Lesesne,	St. Philip's and St. Michael's;



Hon. S. McAliley,	Chester;
" R. G. McCaw,	York;
" W. M. Murray,	St. John's, Colleton;
" E. G. Palmer,	Fairfield;

Appeared in their seats in the Senate Chamber.

Mr. Hammond, Senator from Lancaster, was added to the Committees on Agriculture and Internal Improvements, and on Accounts and Vacant Offices.

Mr. WILSON gave notice that, on Monday, or on some subsequent day, he will introduce

A Bill to repeal an Act entitled "An Act to prohibit extortion and to punish extortioners," ratified the sixth day of February, Anno Domini one thousand eight hundred and sixty-three.

Mr. HOPE gave notice that he will, at some subsequent day, introduce

A Bill to prevent and punish monopolizing and speculating in the articles of prime necessity, and for other purposes.

The Senate granted leave to Mr. MAZYCK to withdraw from its files the petition of Edward C. Perronneau, praying to be relieved from an error in an assessment for a War Tax.

Mr. GARLINGTON offered certain resolutions concerning treasury notes; and recommending legislation in relation thereto, which were referred to the Committee on the Judiciary.

Mr. WILSON offered the following resolution; which was considered, and agreed to:

*Resolved*, That the privilege of a seat on this floor be extended to Gen. Wade Hampton, a former member of this body, and now a distinguished officer in the Confederate service.

On motion of Mr. E. G. PALMER, the Senate, at half-past 12, P. M., suspended business until half-past 7, P. M.

## RECESS.

At half-past 7, the PRESIDENT took the Chair, and the Senate resumed business.

The following message was received from the House of Representatives:



HOUSE OF REPRESENTATIVES, April 4, 1863.

*Mr. President, and Gentlemen of the Senate:*

The House respectfully asks of the Senate a conference between the Committees of the two Houses, on so much of the Message of his Excellency the Governor as relates to the supply of negro labor for coast defences.

By order of the House,

A. P. ALDRICH, *Speaker*.

On motion of Mr. GARLINGTON, the message was ordered to lie on the table, and a message was sent to the House of Representatives, proposing to that House that the Committees of the Senate and House of Representatives, to which had been referred so much of the Message of his Excellency the Governor as refers to negro labor for the works on the coast, do act together as a joint committee.

Mr. McALILEY offered the following resolution; which was considered, and agreed to, and was ordered to be sent to the House of Representatives for concurrence:

*Resolved*, That it is inexpedient to introduce and consider, during the present session, any subject of legislation beyond those embraced in the Governor's Message, and the repeal of an Act, passed at the recent session, entitled "An Act to provide for the collection and payment of the Confederate War Tax."

Mr. E. G. PALMER, from the Committee on Agriculture and Internal Improvements, to which had been referred certain portions of the Message of his Excellency the Governor, relative to the planting of cotton, reported

A Bill to amend an Act entitled "An Act to prevent and punish the planting and cultivating in this State over a certain quantity of cotton during the present year." The Bill received the first reading, and was ordered to be made the Special Order of the day for Monday next, at 1, P. M., and to be printed.

On motion of Mr. McALILEY, the Senate adjourned at 8, P. M.

MONDAY, APRIL 6, 1863.

The Senate met at 12, M. Prayer by the Rev. Mr. Kennedy.  
The Clerk read the journal of the proceedings of Saturday.

### ADDITIONAL SENATORS.

Hon. W. Izard Bull,	St. Andrew's;
" F. J. Sessions,	Kingstōn ;
" E. H. Miller,	Williamsburg ;
" A. Simkins,	Edgefield ;

Appeared in their seats in the Senate Chamber.

Pursuant to notice, and with leave, Mr. HOPE introduced

A Bill to prevent and punish monopolizing and speculating in the articles of prime necessity, and for other purposes; which received the first reading, and was referred to the Committee on Agriculture and Internal Improvements.

Mr. MOSES, from the Committee on the Judiciary, to which had been referred so much of the Message of his Excellency the Governor as relates to the prohibition of the exportation of grain from this State, submitted a report; which was ordered for consideration to-morrow, and to be printed.

Mr. MOSES, from the same Committee, reported

A Bill to prohibit, for a stated period, the exportation of provisions. The Bill received the first reading, and was ordered for a second reading to-morrow, and to be printed.

Mr. MOSES submitted the report of the same Committee, on resolutions in relation to Treasury Notes and the necessity for legislation in relation thereto; which was ordered for consideration to-morrow.

The following Message was received from his Excellency the Governor, and was referred to the Committee on Confederate Relations:

### MESSAGE NO. 2.

EXECUTIVE DEPARTMENT,  
COLUMBIA, April 6, 1863.

*Gentlemen of the Senate and House of Representatives :*

I transmit herewith copies of a Resolution of the Legislature of Texas, just received, in relation to the indebtedness of the Confederate States, to which I invite your attention.

M.-L. BONHAM.

## JOINT RESOLUTION

In relation to the Indebtness of the Confederate States.

Whereas the Legislature of the State of Texas considers the faith of the Confederate States fully and sacredly pledged to the payment of the indebtedness which has been, or may be, incurred by the Confederate States during the war between said Confederacy and the United States of America; and that should any State, composing said Confederacy, withdraw therefrom, from any cause, before the payment of such indebtedness shall have been fully completed, such withdrawing State will be bound to the payment of her *pro rata* portion of the remaining indebtedness. Therefore,

SECTION 1. *Be it resolved, by the Legislature of the State of Texas,* that should the State of Texas, from any cause, withdraw from the Association as a member of the Confederate States, before the indebtedness of said Confederate States is fully paid, the faith of the State is hereby pledged to the payment of her *pro rata* portion of such remaining indebtedness, to whoever the same may be due.

SEC. 2. That the Governor of the State transmit to the President of the Confederate States, and to the Governor of each of said States, a certified copy of this resolution.

C. W. BUCKLEY,

*Speaker of the House of Representatives.*

JOHN M. CROCKETT,

*President of the Senate.*

APPROVED February 27, 1863.

F. R. LUBBOCK.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, April 6, 1863.

*President, and Gentlemen of the Senate:*

The House respectfully concurs with the Senate, that the Committees of the two Houses on so much of the Governor's Message as relates to the supply of negro labor for coast defence, do act as a joint committee.

By order of the House,

A. P. ALDRICH, *Speaker.*

Pursuant to notice, and with leave, Mr. WILSON introduced



A Bill to repeal an Act entitled "An Act to prohibit extortion and punish extortioners." The Bill received the first reading, and was referred to the Committee on the Judiciary.

Mr. MAZYCK presented the petition of Edward C. Perronneau, to be relieved from an assessment for the war tax twice made; which was referred to the Committee on Finance and Banks.

The Senate proceeded to the

### SPECIAL ORDER OF THE DAY FOR 1, P. M.

A Bill to amend an Act entitled "An Act to prevent and punish the planting and cultivating, in this State, over a certain quantity of cotton during the present year."

Mr. E. G. PALMER moved to amend the Bill by striking out, in the tenth line of the printed Bill, the words "one acre," to insert "two." This question was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

Messrs. Barker, Boyle, Bull, Furman, Hope, Lawton, Lesesne, Manning, Mazyck, McCaw, Murray, E. G. Palmer, S. W. Palmer, Roberds, and Wilson.

Those who voted in the negative, are

Hon. W. D. PORTER, President; Messrs. Arthur, Beaty, Blakene, Boykin, Garlington, Hammond, Hart, Houser, W. D. Johnson, Keitt, Maxwell, McAliley, J. W. Miller, Moses, Sessions, and Ware.

In the affirmative, 15.

In the negative, 17.

The amendment was, therefore, lost.

Mr. E. G. PALMER also moved to strike out the words "or half an acre of long," in the tenth and eleventh lines. This question was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

Messrs. Barker, Boyle, Bull, Furman, Lawton, Lesesne, Manning, Mazyck, McCaw, E. G. Palmer, S. W. Palmer, and Wilson.

Those who voted in the negative, are

Hon. W. D. PORTER, President; Messrs. Arthur, Beaty, Blakene, Boykin, Garlington, Hammond, Hart, Hope, Houser, W. D. Johnson, Keitt, Maxwell, McAliley, J. W. Miller, Moses, Murray, E. G. Palmer, Roberds, Sessions, and Ware.

In the affirmative, 11.

In the negative, 21.

The motion, therefore, did not prevail.



On motion of Mr. MOSES, the Senate, at 3, P. M., suspended business until 5, P. M.

## RECESS.

At 5, P. M., the PRESIDENT took the Chair, and the Senate resumed business.

The Senate resumed the second reading of the Bill before the Senate when business was suspended.

Mr. MOSES moved the following amendment to the proviso: strike out all after "construed," and insert "as to apply to cotton grown or produced exclusively by white labor for the use of those engaged in its cultivation."

Mr. WILSON moved that this amendment do lie on the table; which question was ordered to be decided by yeas and nays, and they are as follows:

Those who voted the affirmative, are

Hon. W. D. PORTER, President; Messrs. Arthur, Beaty, Blakeney, Bykin, Bull, Ellis, Furman, Garlington, Hammond, Hart, Hope, Hunter, W. D. Johnson, Keitt, Lesesne, Maxwell, Mazzyck, McAliley, McCaw, E. H. Miller, J. W. Miller, Murray, E. G. Palmer, S. W. Sumner, Ware, and Wilson.

Those who voted in the negative, are

Messrs. Lawton, Moses, Roberds, and Sessions.

In the affirmative, 27.

In the negative, 4.

The amendment was, therefore, ordered to lie on the table.

Mr. LAWTON moved to amend the last proviso, by adding the following after the words "white person or persons," viz: "Over the space of twelve years from planting and cultivating for themselves, by their own labor, a like quantity of cotton for each hand so employed."

Mr. WILSON moved that this amendment do lie on the table; and the same was ordered.

Mr. HOPE moved the following amendment, which was agreed to: Section second, by striking out in the fourth and fifth lines the following words, "be imprisoned not less than one or more than six months."

Mr. WILSON moved further to amend the Bill, by striking out the words, "or fractional part of an acre," in the sixth line of the second section.

Mr. MOSES moved that the amendment do lie on the table; which question was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

Messrs. Arthur, Beaty, Blakeney, Garlington, Hammond, Har Houser, W. D. Johnson, Keitt, Maxwell; McAliley, McCaw, J. W. Miller, Moses, Murray, Sessions, and Ware.

Those who voted in the negative, are

Hon. W. D. PORTER, President; Messrs. Barker, Boykin, Bull, Ellis Furman, Hope, Lawton, Lesesne, Mazyck, E. H. Miller, E. G. Palmer, S. W. Palmer, Roberds, and Wilson.

In the affirmative, 17.

In the negative, 15.

The amendment was, therefore, ordered to lie on the table.

Mr MAZYCK moved that the Bill be postponed until to-morrow which was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

Messrs. Barker, Bull, Ellis, Furman, Lawton, Mazyck, E. H. Miller, Simkins, and Wilson.

Those who voted in the negative, are

Hon. W. D. PORTER, President; Messrs. Arthur, Beaty, Blakeney, Boykin, Garlington, Hammond, Hart, Hope, Houser, W. D. Johnson, Keitt, Lesesne, Maxwell, McAliley, McCaw, J. W. Miller, Moses, Murray, E. G. Palmer, S. W. Palmer, Roberds, Sessions, and Ware.

In the affirmative, 9.

In the negative, 24.

The motion, therefore, did not prevail.

On the question of agreeing to the Bill, the yeas and nays were ordered, and they are as follows:

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; Messrs. Arthur, Beaty, Blakeney, Boykin, Garlington, Hammond, Hart, Houser, W. D. Johnson, Keitt, Maxwell, McAliley, McCaw, J. W. Miller, Moses, E. G. Palmer, Sessions, and Ware.

Those who voted in the negative, are

Messrs. Barker, Ellis, Furman, Hope, Lawton, Lesesne, Mazyck, E. H. Miller, Murray, S. W. Palmer, Roberds, Simkins, and Wilson.

In the affirmative, 19.

In the negative, 13.

The Bill was, therefore, agreed to, and was ordered to be sent to the House of Representatives.

Mr. MANNING, who was absent when the vote was taken, asked leave to record the vote he would have given, if he had been present and on his name being called, the Senator voted in the negative.

Mr. E. G. PALMER, from the Committee on Agriculture and Internal Improvements, to which had been referred so much of the Governor's Message as refers to the distillation of spirituous liquors in this State, reported

A Bill to suppress the distillation of spirituous liquors in this State. The Bill received the first reading, and was ordered for a second reading to-morrow.

Mr. LAWTON gave notice that, to-morrow, he will ask leave to introduce

A Bill to amend an Act entitled "An Act to incorporate the Edisto and Ashley Canal Company."

On motion of Mr. MAZYCK, it was ordered that when the Senate adjourns, it shall stand adjourned to meet to-morrow at 11, A. M.

Leave of absence was granted to Mr. MANNING, after this day.

On motion of Mr. MOSES, the Senate adjourned at 20 minutes to 8, P. M.

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TUESDAY, APRIL 7, 1863.

The Senate met at 11, A. M., pursuant to adjournment. Prayer by the Rev. Mr. Walker.

The Clerk read the Journal of the proceedings of yesterday.

Mr. MOSES submitted the report of the Committee on the Judiciary, on a Bill to repeal an Act entitled "An Act to prohibit extortion and punish extortioners;" which was ordered for consideration to-morrow.

Mr. McALILEY, by leave of the Senate, introduced, without notice,

A Bill to repeal an Act entitled "An Act to provide for the payment, by the State, of such war tax as may be imposed by the Congress of the Confederate States, during the year 1863, and for the collection of the same from the tax-payers in this State." The Bill received the first reading, and was referred to the Committee on Finance and Banks.

The House of Representatives sent to the Senate

A Bill to regulate in future the sales of goods, wares and merchandise, by public auction. The Bill received the first reading, and was referred to the Committee on the Judiciary.

The Senate proceeded to the



## GENERAL ORDERS OF THE DAY.

The report of the Committee on the Judiciary, on resolutions in relation to Treasury Notes, and the necessity for legislation in relation thereto, was ordered to be placed in the General Orders of the Day for to-morrow.

A Bill to suppress the distillation of spirituous liquors in this State being on the second reading, Mr. WILSON moved, to strike out the words "other than the ordinary fruits in their season," in the first section, sixth line, of the printed Bill; which was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; Messrs. Furman, Oswald, Sessions, and Wilson.

Those who voted in the negative, are

Messrs. Appleby, Arthur, Barker, Beaty, Blakeney, Boykin, Ellis, Garlington, Hammond, Hart, Hope, Houser, W. D. Johnson, Keitt, Lesesne, Maxwell, Mazyek, McAliley, McCaw, E. H. Miller, J. W. Miller, Moses, Murray, E. G. Palmer, S. W. Palmer, Roberds, Simkins, and Ware.

In the affirmative, 5.

In the negative, 28.

The amendment, therefore, was not agreed to.

Mr. HOPE moved, to include the Sorghum plant in the list of excepted articles; which was decided in the negative.

The reading having been concluded, the Bill was agreed to, and was sent to the House of Representatives.

Mr. GARLINGTON, for Mr. LAWTON, pursuant to notice, introduced

A Bill to amend an Act entitled "An Act to incorporate the Edisto and Ashley Canal Company." The Bill received the first reading, and was referred to the Committee on Incorporations and Engrossed Acts.

The Senate proceeded to the second reading of

A Bill to prohibit for a stated period the exportation of provisions.

Mr. MAZYCK moved the following as a substitute for the Bill:

That any person who shall export provisions from this State, in violation of the Governor's proclamation prohibiting such exportation, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by fine and imprisonment, at the discretion of the Court.



On motion of Mr. MOSES, the amendment was ordered to lie on the table.

Mr. McALILEY moved that the Bill do lie on the table; which was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; Messrs. Barker, Beaty, Blakeney, Bull, Ellis, Furman, Hart, W. D. Johnson, Keitt, Mazyck, McAliley, McCaw, E. G. Palmer, S. W. Palmer, Simkins, and Wilson.

Those who voted in the negative, are

Messrs. Appleby, Arthur, Boykin, Garlington, Hammond, Hope, Houser, Lesesne, Maxwell, E. H. Miller, J. W. Miller, Moses, Murray, Oswald, Roberds, Sessions, and Ware.

In the affirmative, 17.

In the negative, 17.

The motion, therefore, did not prevail.

On the question of agreeing to the Bill, the yeas and nays were ordered to be taken, and they are as follows:

Those who voted in the affirmative, are

Messrs. Appleby, Arthur, Boykin, Garlington, Hammond, Hope, Houser, Lesesne, Maxwell, E. H. Miller, J. W. Miller, Moses, Murray, Oswald, Roberds, Sessions, and Ware.

Those who voted in the negative, are

Hon. W. D. PORTER, President; Messrs. Barker, Beaty, Blakeney, Bull, Ellis, Furman, Hart, W. D. Johnson, Keitt, Mazyck, McAliley, McCaw, E. G. Palmer, S. W. Palmer, Simkins, and Wilson.

In the affirmative, 17.

In the negative, 17.

The Bill was, therefore, not agreed to; and it was consequently rejected.

Mr. MOSES gave notice that, to-morrow, he will move to reconsider the vote.

Mr. McALILEY submitted the report of the Committee on Finance and Banks, on

A Bill to repeal an Act entitled "An Act to provide for the payment by the State of such war tax as may be imposed by the Congress of the Confederate States during the year 1863, and for the collection of the same from the tax-payers in this State;" which was ordered for consideration to-morrow.

On motion of Mr. HAMMOND, the Senate, at 20 minutes past 1, P. M., suspended business until 5, P. M.

## RECESS.

At 5, P. M., the PRESIDENT took the Chair, and the Senate resumed business.

Mr. MOSES, by leave, and without notice, introduced

A Bill to punish purchasing under assumed authority. The Bill received the first reading, and was referred to the Committee on the Judiciary, and was ordered to be printed.

The House of Representatives sent to the Senate

A Bill to regulate and limit the price of the prime necessities of life in South Carolina. The Bill received the first reading, and was referred to the Committee on Commerce, Manufactures and the Mechanic Arts, and was ordered to be printed.

The Committee on Agriculture and Internal Improvements was discharged from the further consideration of a Bill to prevent and punish monopolizing and speculating in the articles of prime necessity, and for other purposes, and it was referred to the Committee on Commerce, Manufactures and the Mechanic Arts.

The following Message was received from his Excellency the Governor, and was ordered to lie on the table :

## MESSAGE NO. 3.

## STATE OF SOUTH CAROLINA.

EXECUTIVE DEPARTMENT,

COLUMBIA, April 7, 1863.

*Gentlemen of the Senate and House of Representatives:*

I transmit a despatch just received. The long threatened attack is begun. With a firm reliance upon the God of battles, our troops and our people will meet the occasion as becomes them.

M. L. BONHAM.

To Gov. M. L. BONHAM:

Action commenced with Monitors 3.10, P. M. Ironsides is also engaged. Sumter has not been struck as yet.

G. T. BEAUREGARD.

On motion of Mr. MOSES, the Senate adjourned at half-past 5, P. M.

WEDNESDAY, APRIL 8, 1863.

The Senate met at 12, M., pursuant to adjournment. Prayer by the Rev. Mr. Mouzon.

The Clerk read the journal of the proceedings of yesterday.

## ADDITIONAL SENATORS.

Hon. F. W. Fickling,

St. Luke's;

" Thomas Thomson,

Abbeville;

Appeared in their seats in the Senate Chamber.

The following communication was received from his Excellency the Governor:

## MESSAGE NO. 4.

## STATE OF SOUTH CAROLINA.

EXECUTIVE DEPARTMENT,

COLUMBIA, April 8, 1863.

*Gentlemen of the Senate and House of Representatives:*

I transmit herewith a despatch received last night from Gen. Beauregard.

M. L. BONHAM.

CHARLESTON, April 7, 9 o'clock, P. M.

To Gov. M. L. BONHAM:

Eight Monitors and one Ironsides crossed bar about noon, and attacked forts at entrance of harbor, at 3, P. M. Retired at 5.50, P. M. Keokuk and Ironsides apparently disabled. No damage to forts. One killed and five wounded in Sumter, and one wounded in Moultrie. All behaved in a manner worthy our cause. Attack may be renewed to-night or to-morrow.

G. T. BEAUREGARD,

*General Commanding.*

CHARLESTON, April 8, 11 o'clock, A. M.

To Gov. M. L. BONHAM:

Enemy has not come up to time; appears satisfied for present. Charleston ladies seem to think city safe. Never have seen so many before on Battery. One Monitor just reported sunk, near Morris' Island; supposed to be Keokuk.

G. T. BEAUREGARD.



CHARLESTON, April 8, 11.15 o'clock.

Enemy's iron clads still inside of bar, but show no disposition as yet to resume fight. Commanding officer on Morris' Island reports one Monitor sunk; supposed to be Keokuk.

G. T. BEAUREGARD.

The House of Representatives sent to the Senate the following resolutions; which were unanimously concurred in, and returned:

*Resolved*, That the General Assembly reposes unbounded confidence in the ability and skill of the Commanding General of this Department, and the courage and patriotism of his brave soldiers, with the blessing of God, to defend our beloved city, and to beat back our vindictive foes.

*Resolved*, That his Excellency the Governor be requested to communicate this resolution to General Beauregard.

The House of Representatives sent to the Senate

A Bill to suppress the distillation of spirituous liquors in this State; which received the first reading, and was referred to the Committee on Agriculture and Internal Improvements.

#### REPORTS OF COMMITTEES.

Mr. LESESNE submitted the report of the Committee on Confederate Relations, on the Governor's Message, transmitting resolutions from the State of Texas, which was ordered for consideration tomorrow.

Mr. MOSES submitted the reports of the Committee on the Judiciary, on

A Bill, from the House of Representatives, to regulate in future the sales of goods, wares and merchandise by public auction; and, on

A Bill to punish purchasers under assumed authority; which were placed in the General Orders of this day.

Mr. GARLINGTON, from the Committee on the Military and Pensions, acting jointly with the Committee from the House of Representatives, to which had been referred certain portions of the Message of his Excellency the Governor, relative to slave labor for coast defence, reported

A Bill to amend an Act entitled "An Act to organize and supply negro labor for coast defence, in compliance with requisitions of the Government of the Confederate States," and an Act entitled "An Act to amend an Act to organize and supply negro labor for coast defence,



in compliance with requisitions of the Government of the Confederate States, and to authorize and direct the Governor to proceed to furnish negro labor under said Act." The Bill received the first reading, and was made the Special Order of the Day for to-morrow, at half-past 12, P. M.

Mr. McALILEY offered the following resolution, which was considered, and agreed to, and was sent to the House of Representatives for concurrence:

*Resolved*, That this General Assembly do adjourn its present session on Friday, the 10th-inst., at 5, P. M.

Leave of absence was granted to the Senators from St. George's, Dorchester, and Abbeville, for the remainder of the session, on account of military duties.

The Senate proceeded to the

#### GENERAL ORDERS OF THE DAY.

On motion of Mr. WILSON, the report of the Committee on the Judiciary, on a Bill to repeal an Act entitled "An Act to prohibit extortion and punish extortioners," was ordered to lie on the table. The Bill was taken up for a second reading, and having been read, on the question of agreeing to the same, the yeas and nays were ordered, and they are as follows:

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; Messrs. Barker, Beaty, Boykin, Furman, Hope, Keitt, Lesesne, Mazyck, McCaw, S. W. Palmer, Simkins, and Wilson.

Those who voted in the negative, are

Messrs. Blakeney, Garlington, Hammond, Houser, W. D. Johnson, Maxwell, McAliley, E. H. Miller, J. W. Miller, Moses, Murray, Oswald, E. G. Palmer, Roberds, Sessions, Thomson, and Ware.

In the affirmative, 13.

In the negative, 17.

The Bill was, therefore, not agreed to; and it was consequently rejected.

A Bill to repeal an Act entitled "An Act to provide for the payment by the State of such war tax as may be imposed by the Congress of the Confederate States during the year 1863, and for the collection of the same from the tax-payers in this State;" and a Bill to punish purchasing under assumed authority, received the second

reading, were agreed to, and were sent to the House of Representatives.

The unfavorable report of the Committee on the Judiciary, on a Bill, from the House of Representatives, to regulate in future the sales of goods, wares and merchandise by public auction, was agreed to, and the Bill was rejected.

The report of the Committee on the Judiciary, on resolutions in relation to Treasury notes, and the necessity for legislation in relation thereto, was postponed for consideration until to-morrow.

The General Orders were disposed of.

On motion of Mr. HAMMOND, the Senate, at half-past 1, P. M., suspended business until 5, P. M.

### RECESS.

At 5, P. M., the PRESIDENT took the Chair, and the Senate resumed business.

Mr. ARTHUR offered a resolution for the appointment of Commissioners of Free Schools for Richland District; which was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The House of Representatives sent to the Senate a similar resolution; which was concurred in, and returned to the House of Representatives.

Mr. WARE submitted the report of the Committee on Incorporations and Engrossed Acts, on

A Bill to amend an Act entitled "An Act to incorporate the Edisto and Ashley Canal Company;" which was ordered for consideration to-morrow.

Mr. MOSES offered the following resolution:

*Resolved*, That a Bill to prohibit, for a stated period, the exportation of provisions, be reconsidered.

The resolution was agreed to, and the Bill was ordered for a second reading to-morrow.

The House of Representatives sent to the Senate the report of the Committee of Ways and Means, on a resolution in relation to double tax executions against soldiers absent on military duty; which was ordered for consideration to-morrow.

Mr. MAZYCK submitted the report of the Committee on Confederate Relations, on so much of the Governor's Message as refers to a correspondence with Col. J. S. Preston, Commandant of Conscripts,

relating to exemptions; which was ordered for consideration to-morrow.

The House of Representatives returned, with its concurrence, the resolution for the adjournment of the General Assembly on Friday, the 10th inst., at 5, P. M.

The Senate granted leave of absence to the Senator from Prince William's, on and after this evening, in consequence of ill health.

On motion of Mr. MOSES, it was ordered that when the Senate adjourns, it shall stand adjourned to meet to-morrow, at 11 o'clock, A. M.

The House of Representatives sent to the Senate

A resolution extending the time for distributing the Acts and Reports and Resolutions of the Legislature, to the first of June next; which was referred to the Committee on Printing.

Mr. WILSON presented the report of the Committee on Commerce, Manufactures and the Mechanic Arts, on so much of the Governor's Message as relates to the purchase and monopoly of the prime articles of necessity; and a Bill, from the House of Representatives, to regulate and limit the price of the prime necessities of life in South Carolina; which was ordered for consideration to-morrow.

The House of Representatives sent to the Senate

A Bill to amend an Act entitled "An Act to amend an Act to organize and supply negro labor for coast defence, in compliance with the requisitions of the Government of the Confederate States, so as to authorize and direct the Governor to proceed to furnish negro labor under said Act." The Bill received the first reading, and was referred to the Committee on Military and Pensions.

The House of Representatives returned to the Senate

A Bill to amend an Act entitled "An Act to prevent and punish the planting and cultivating in this State over a certain quantity of cotton during the present year."

The Bill, having been amended by the House of Representatives, on the second reading, the amendments were referred to the Committee of the Whole. Mr. GARLINGTON, Senator from Newberry, was called to the Chair.

Mr. GARLINGTON submitted the following report:

The Committee of the Whole, to whom were referred certain amendments of the House to a Bill to amend an Act entitled "An Act to prevent and punish the planting and cultivating in this State over a certain quantity of cotton during the present year," ask leave to report:



That they have considered the same, and recommend that the Senate do concur in the following amendments, to wit: In the twenty-eighth line of the first section of the Bill, strike out the word "exclusively;" in the fourth line of the third section, insert the word "or" between the words "observation" and "information;" in the fourth line of the fourth section, strike out the word "exclusively;" at the end of the seventh line of the fourth section, add the words "omitted to be returned to the Tax Collector;" and that the Senate do not concur in the amendment striking out the word "exclusively" in the second proviso to the first section of the Bill, and that they do not concur in the amendment adding the words, "under the same penalty," at the end of the fourth section.

The report having been ordered for immediate consideration, the Senate proceeded with the third reading of the Bill, sustaining the recommendations of the Committee.

On the question of agreeing to the Bill, the yeas and nays were ordered to be taken, and they are as follows:

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; Messrs. Arthur, Beaty, Blakeney, Boykin, Garlington, Hammond, Houser, W. D. Johnson. Keitt, Maxwell, McAliley, McCaw, J. W. Miller, Moses, Oswald, E. G. Palmer and Sessions.

Those who voted in the negative, are

Messrs. Barker, Boyle, Ellis, Fickling, Furman, Hope, Lesesne, Mazyek, E. H. Miller, Murray, S. W. Palmer, Roberds, Simkins, Ware, and Wilson.

In the affirmative, 18.

In the negative, 15.

The Bill was, therefore, passed; the title changed to "An Act," and it was sent to the House of Representatives.

The House of Representatives sent to the Senate

A Bill to authorize the Governor to seize and dispose of provisions or articles of food in certain cases.

The Bill received the first reading, and was referred to the Committee on the Judiciary.

On motion of Mr. GARLINGTON, the Senate adjourned at fifteen minutes to 8, P. M.



## THURSDAY, APRIL 9, 1863.

The Senate met at 11, A. M., pursuant to adjournment. Prayer by the Rev. Mr. Breaker.

The Clerk read the journal of the proceedings of yesterday.

Mr. HAMMOND offered a resolution for appointing a Commissioner of Public Buildings for Lancaster District; which was agreed to, and sent to the House of Representatives for concurrence.

Mr. McALILEY offered the following resolution, which was considered, and agreed to:

*Resolved*, That the rule for the continuation of business from one session to another, is intended to apply to the regular sessions of the Legislature.

On motion of Mr. BOYKIN, business was suspended from fifteen minutes to 12, M., to half-past 12, P. M.; at which hour the session again commenced.

The following dispatch was communicated to the Senate by his Excellency the Governor:

CHARLESTON, April 9, 1863.

To Gov. M. L. BONHAM:

Statements, by Maj. Harris and Col. Graham, seem to leave no doubt of the sinking of the "Keokuk" between nine and ten yesterday morning. No movements this morning. The enemy appear to be concentrating in North Edisto and Stono Rivers. Possibly some days will elapse before another attack.

WILMOT G. DESAUSSURE, A. D. C.

Mr. GARLINGTON submitted the report of the Committee on the Military and Pensions, on

A Bill, from the House of Representatives, to amend an Act entitled "An Act to amend an Act to organize and supply negro labor for coast defence, in compliance with requisitions of the Government of the Confederate States," and to authorize and direct the Governor to proceed to furnish negro labor under said Act, recommending an amendment thereto, and to change the title of the Bill, by striking out all after the words "Confederate States and," and insert, in lieu thereof, "and for other purposes."

This report was made the Special Order for half-past 12, P. M., with the Special Order for this hour.

The Senate then proceeded to the

### SPECIAL ORDER.

A Bill to amend an Act entitled "An Act to organize and supply negro labor for coast defence, in compliance with requisitions of the Government of the Confederate States," and an Act entitled "An Act to amend an Act to organize and supply negro labor for coast defence, in compliance with requisitions of the Government of the Confederate States, and to authorize and direct the Governor to furnish negro labor under said Act."

On motion of Mr. GARLINGTON, the Bill was ordered to lie on the table, and the report offered by him, on the House Bill, was considered.

The Bill from the House of Representatives then received the second reading; it was amended, pursuant to the recommendation of the Committee.

On the question of agreeing to the Bill, the yeas and nays were ordered, and they are as follows:

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; Messrs. Barker, Blakeney, Boykin, Fickling, Furman, Garlington, Hammond, Hart, Houser, W. D. Johnson, Keitt, Lesesne, Maxwell, Moses, Murray, Oswald, E. G. Palmer, and S. W. Palmer.

Those who voted in the negative, are

Messrs. Arthur, Beaty, Hope, Mazyek, McAliley, McCaw, J. W. Miller, Roberds, Sessions, Simkins, Ware, and Wilson.

In the affirmative, 19.

In the negative, 12.

The Bill was, therefore, agreed to, and was ordered to be sent to the House of Representatives.

Mr. E. G. PALMER gave notice, that at the third reading he will offer the following amendment; which was read from the Chair:

"That in the event of a sufficient amount of labor not being furnished for coast defence, that the Governor be authorized to make an arrangement with the Bank of the State, for an advance of twenty thousand dollars, to be applied by him for the hire of labor for that purpose."

Mr. ARTHUR presented the account of Theo. Stark, Keeper of the State House, for contingent expenses of the present session; which was referred to the Committee on Claims and Grievances.

Leave of absence, after two o'clock this day, was granted to the Senator from Williamsburg.

### PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate, for concurrence, the following resolutions, which were disposed of as follows:

Resolutions for the pay of Officers and Members of the General Assembly. A message was sent to the House asking leave to amend, by striking out of the allowance for the Clerks of the Solicitors, the following: "A pay bill for the same per diem as is by law allowed to a member of the General Assembly," to insert "forty dollars."

Resolutions authorizing the Commissions for removing non-combatants from Charleston to sell surplus provisions to the Free Market at cost; which was referred to the Delegation in the Senate from St. Philip's and St. Michael's.

Report of the Committee of Ways and Means, of the House of Representatives, on the report of the Comptroller General on the resolution of inquiry in relation to the amount of taxes paid by the banks of the Lower Division; which was referred to the Committee on Finance and Banks.

Also the following, which were concurred in, and returned to the House of Representatives:

A resolution for the appointment of Escheator for Richland District.

A resolution for the appointment of Proxies to represent the Stock of the State in the Spartanburg and Union Railroad.

A resolution calling upon our Senators and Members of Congress to use their influence in re-establishing mints at Charlotte, N. C., and Dahlonega, Georgia.

A resolution appointing a Magistrate for Barnwell District.

### REPORTS OF COMMITTEES.

Mr. MOSES submitted the report of the Committee on the Judiciary, on

A Bill to authorize the Governor to seize and dispose of provisions or articles of food in certain cases;

And Mr. E. G. PALMER submitted the report of the Committee on Agriculture and Internal Improvements, on

A Bill, from the House of Representatives, to suppress the distillation of spirituous liquors in this State; which were placed in the General Orders of this day.



Mr. ARTHUR submitted the report of the Committee on Claims and Grievances, on the account of the Keeper of the State House, for contingent expenses; which was agreed to, and was sent to the House of Representatives for concurrence.

The House of Representatives sent to the Senate

A Bill to amend an Act entitled "An Act to incorporate the Edisto and Ashley Canal Company;" which received the first reading, and was referred to the Committee on Incorporations and Engrossed Acts.

The House of Representatives returned to the Senate

A Bill to punish purchasing under assumed authority; and

A Bill to repeal an Act entitled "An Act to provide for the payment by the State of such war tax as may be imposed by the Congress of the Confederate States during the year 1863, and for the collection of the same from the tax-payers in this State." The Bills received the third reading, and were passed, the titles changed to Acts, and they were sent to the House of Representatives.

Mr. W. D. JOHNSON presented the account of the Clerk of the Senate, for stationery at this session; which was referred to the Committee on Claims and Grievances.

The Senate proceeded to the

#### GENERAL ORDERS OF THE DAY.

The Report of the Committee on Confederate Relations, on the Governor's Message, transmitting resolutions from the State of Texas, was agreed to, and sent to the House of Representatives for concurrence.

Mr. GARLINGTON moved that the report of the Committee on the Judiciary, on resolutions in relation to Treasury Notes, and the necessity for legislation in relation thereto, be ordered to lie on the table, and that the resolutions be taken up for consideration.

Mr. MAZYCK moved that the report and resolutions be ordered to lie on the table; which was decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

Messrs. Arthur, Barker, Blakeney, Boykin, Hart, W. D. Johnson, Lesesne, Mazyck, McAliley, Moses, Roberds, and Wilson.

Those who voted in the negative, are

Hon. W. D. PORTER, President; Messrs. Beaty, Boyle, Fickling, Furman, Garlington, Hammond, Hope, Houser, Keitt, Maxwell, McCaw, J.



W. Miller, Murray, Oswald, E. G. Palmer, S. W. Palmer, Sessions, Simkins, and Ware.

In the affirmative, 12.

In the negative, 20.

The motion, therefore, did not prevail, and the report was ordered to lie on the table; and the resolutions were taken up for consideration, and the two first resolutions were adopted.

While the third resolution was under consideration, Mr. MAZYCK moved to strike out, in the second and third lines, the following words: "by refusing the same in the payment of debts, or by any other means."

The Senate, on motion of Mr. McALILEY, at 10 minutes before 3, suspended business until 5, P. M.

### RECESS.

At 5, P. M., the PRESIDENT took the Chair, and the Senate resumed business.

The House of Representatives returned to the Senate,

An Act to amend an Act entitled "An Act to prevent and punish the planting and cultivating, in this State, over a certain quantity of cotton during the present year," and it was referred to the Committee on Incorporations and Engrossed Acts.

On motion of Mr. WARE, the report of the Committee on Incorporations and Engrossed Acts, on

A Bill to amend an Act entitled "An Act to incorporate the Edisto and Ashley Canal Company," was ordered to lie on the table.

The report of the Committee on Confederate Relations, on so much of the Governor's Message as relates to a correspondence with Col. John S. Preston, Commandant of Conscripts, was agreed to, and the Committee was discharged from the further consideration of the subject.

The report of the Committee of Ways and Means, of the House of Representatives, on a resolution in relation to tax executions against soldiers absent on military duty, was concurred in, and returned to the House of Representatives.

On motion of Mr. MOSES, the Bill to prohibit, for a stated period, the exportation of provisions, was ordered to lie on the table.

Mr. HAMMOND moved that the report of the Committee on Commerce, Manufactures and the Mechanic Arts, on so much of the Governor's Message as relates to the purchase and monopoly of the prime articles of necessity; and a Bill, from the House of Representatives, to regulate and limit the price of the prime necessities of life in South Carolina, do lie on the table, and that the Bill be taken up for a second reading; and the motion was not agreed to.

Mr. HOPE moved to reconsider this vote, which was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; Messrs. Arthur, Garlington, Hammond, Hope, Houser, W. D. Johnson, Maxwell, McCaw, J. W. Miller, Moses, Oswald, Sessions, and Ware.

Those who voted in the negative, are

Messrs. Barker, Beaty, Blakeney, Boykin, Boyle, Fickling, Furman, Hart, Keitt, Lesesne, Mazyck, McAliley, Murray, E. G. Palmer, S. W. Palmer, Roberds, Simkins, and Wilson.

In the affirmative, 14.

In the negative, 18.

The motion, therefore, did not prevail. The report was then agreed to, and the Bill was rejected.

Mr. SIMKINS submitted the following report, which was considered, and agreed to, and a message was sent to the House of Representatives, asking leave to amend the report accordingly:

The Committee on Printing, to whom was referred a resolution extending the time allowed for the printing of Acts and Resolutions, beg leave to report:

That they have considered the same, and recommend that a message be sent to the House, asking leave of that body to amend the resolution by striking out all after the word *Resolved*, and inserting the following:

That, in the opinion of the Legislature, the condition as to time, annexed to the appropriation made by the last Act, for the printing and depositing in the proper office, of the Acts, Resolutions and Journals of the last Session, be not enforced, provided they are printed and deposited by the first day of June next, and that the printer publish in his paper all the public Acts passed at said Session and the present.

*Resolved*, That the Acts, Resolutions and Journals, of this extra Session, be printed and bound with the Acts and Resolutions of the last Session.

A Bill, from the House of Representatives, to suppress the distillation of spirituous liquors, received the second reading, was agreed to, and was ordered to be returned to the House of Representatives.

The Senate proceeded to consider the report of the Committee on the Judiciary, on

A Bill, from the House of Representatives, to authorize the Governor to seize and dispose of provisions or articles of food in certain cases. The Committee recommend that all after the enacting clause be stricken out, for the purpose of inserting a substitute for the entire Bill; and that the title

be amended so as to read, "A Bill to enforce any proclamation of the Governor prohibiting the exportation of provisions."

Mr. MAZYCK moved to amend the amendment, by striking out all therein after the first section; which motion was lost.

The amendment was agreed to, and on the question of agreeing to the Bill, the yeas and nays were ordered to be taken, and they are as follows:

Those who voted in the affirmative, are

Messrs: Blakeney, Boykin, Garlington, Hammond, Houser, W. D. Johnson, Keitt, Lesesne, Maxwell, McCaw, J. W. Miller, Moses, Murray, Oswald, Roberds, Sessions, and Ware.

Those who voted in the negative, are

Hon. W. D. PORTER, President; Messrs. Beaty, Boyle, Fickling, Furman, Hart, Hope, Lawton, Mazyck, McAliley, E. G. Palmer, S. W. Palmer, Simkins, and Wilson.

In the affirmative, 17.

In the negative, 14.

The Bill was, therefore, agreed to, and was sent to the House of Representatives, the title having been amended, pursuant to the recommendation of the Committee.

The following message was received from the House of Representatives:

#### HOUSE OF REPRESENTATIVES, April 9, 1863.

*Mr. President, and Gentlemen of the Senate:*

This House grants leave to amend the resolution of this body, relative to pay of Officers and Members of the General Assembly, so as to allow the Clerks of the Solicitors each the sum of forty dollars.

By order of the House,

A. P. ALDRICH, *Speaker*.

The resolution was amended, pursuant to the leave granted, and was concurred in, and returned.

A message was also received from the House of Representatives, granting leave to amend the resolution in relation to the printing and distribution of the Acts and Reports of the Legislature, as requested by the Senate, and the resolution was amended accordingly, and concurred in, and returned.

The House of Representatives returned, with its concurrence, the report of the Committee on Claims and Grievances, on the account of the Keeper of the State House, for incidental expenses; and

A resolution for appointing a Commissioner of Public Buildings for Lancaster District.



The report of the Committee of Ways and Means, of the House of Representatives, on the report of the Comptroller General on a resolution of inquiry in relation to the amount of taxes paid by the banks of the Lower Division, was concurred in, and returned.

Mr. LESESNE submitted the following report:

The Delegation from St. Philip's and St. Michael's, to whom was referred a resolution, from the House of Representatives, in relation to the sale by the Commission for removing non-combatants from Charleston, to the Free Market of Charleston, of surplus provisions in their hands, ask leave to report:

That they have considered the same, and recommend that a message be sent to the House, asking leave to amend the said resolution, so that the same shall read as follows:

*Resolved*, That the Commission for the removal of non-combatants from Charleston be, and are hereby, authorized and requested, in their discretion, to sell any surplus or perishable provisions in their hands to the Free Market of Charleston, at a reasonable rate.

The report was agreed to, and a message was sent accordingly.

Mr. GARLINGTON offered a resolution for suspending the thirty-second rule of the Senate for this session, which was ordered for consideration to-morrow.

Mr. GARLINGTON also offered the following resolutions, which were considered, and agreed to:

*Resolved, unanimously*, That the gallant defence made by our officers and men, in Charleston Harbor, against the first onset of the foe, entitle them to the thanks of the whole country, and, under the blessings of a kind Providence, is hailed as the harbinger of a still more glorious victory.

*Resolved*, That a copy of these resolutions be sent to the General Commanding this Department.

Mr. WARE submitted the report of the Committee on Incorporations and Engrossed Acts, on

A Bill, from the House of Representatives, to amend an Act to incorporate the Edisto and Ashley Canal Company; which was ordered for consideration to-morrow.

Mr. WILSON submitted the report of the Committee on Commerce, Manufactures and the Mechanic Arts, on

A Bill to regulate and punish monopolizing and speculating in the articles of prime necessity, and for other purposes; and

On motion of Mr. HOPE, it was ordered to lie on the table.



Mr. OSWALD submitted the report of the Committee on Claims and Grievances, on the account of the Clerk of the Senate, for stationery at the present session, and it was agreed to, and sent to the House of Representatives for concurrence.

On motion of Mr. McALILEY, it was ordered that when the Senate adjourns, it shall stand adjourned to meet to-morrow, at 10 o'clock, A. M.; and the Senate adjourned at 20 minutes to 8, P. M.

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FRIDAY, APRIL 10, 1863.

The Senate met at 10, A. M., pursuant to adjournment. Prayer by the Rev. Dr. Palmer.

The Clerk read the journal of the proceedings of yesterday.

The following resolution was considered, and agreed to:

*Resolved*, That the thirty-second rule of the Senate be suspended during the present Session of the General Assembly.

The report of the Committee on Incorporations and Engrossed Acts, on A Bill, from the House of Representatives, to amend an Act entitled "An Act to incorporate the Edisto and Ashley Canal Company," was, on motion of Mr. WARE, ordered to lie on the table.

The Senate proceeded to the consideration of the third resolution of the following series:

*Resolved*, 1. That the success of the Confederate States of America, in the war now waged against their rights and liberties, and the establishment of their independence on a sure and permanent foundation, are intimately connected with the measures that may be adopted to sustain their credit.

*Resolved*, 2. That, in the opinion of this General Assembly, the ability of the Confederate Government to redeem, ultimately, all its debts and obligations, depends solely upon the solution of the question of the Independence of these States, which can now no longer be regarded a doubtful issue, if the people remain true to themselves, and steadfastly adhere to the great principles for the maintenance of which they have pledged themselves, their lives, their fortunes, and their sacred honor.

*Resolved*, 3. That any attempt to depreciate the currency of the Confederate States by refusing the same in payment for debts, or by any other means, while it exhibits a want of patriotism and fidelity to the cause in which we are engaged, has a direct tendency to imperil the liberties and independence of these States, and should be discountenanced by all good and true citizens.

*Resolved*, 4. That it is the duty of the States of the Confederacy, acting in their own sovereign sphere, to adopt all constitutional measures which will have the effect to sustain the credit of the Confederate Government, and to provide against the depreciation of its currency.

*Resolved*, 5. That it be referred to the Committee on the Judiciary to inquire and report as to the constitutionality and expediency of an Act to authorize and compel all public officers of this State, charged with the receipt of moneys, either for the State or individuals, to receive the Treasury Notes of the Confederate States when tendered; and, also, to compel creditors to receive said notes in payment of debts, when tendered, on the penalty for refusing, of being debarred from collecting the interest which may thereafter accrue on such debt, and, also, from bringing suit in any of the Courts of this State for the collection of the same, within two years after a ratification of peace between the Confederate States and the United States.

The Senate resumed the consideration of the amendment to the third resolution, offered by Mr. MAZYCK, and pending at the hour of adjournment.

On the question of agreeing to the amendment, the yeas and nays were ordered, and they are as follows:

Those who voted in the affirmative, are . . .

Hon. W. D. PORTER, President; Messrs. Arthur, Barker, Boykin, Fickling, Furman, Hope, W. D. Johnson, Lawton, Lesesne, Mazyck, Moses, Murray, Oswald, and Wilson.

Those who voted in the negative, are

Messrs. Beaty, Boyle, Garlington, Hammond, Houser, W. R. Johnson, Keitt, Maxwell, McAliley, McCaw, J. W. Miller, E. G. Palmer, Sessions, Simkins, and Ware.

In the affirmative, 15.

In the negative, 15.

The amendment, therefore, was not agreed to.

Mr. FICKLING moved that the third resolution do lie on the table, which was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

Messrs. Arthur, Barker, Boykin, Fickling, Furman, Hope, W. D. Johnson, Lawton, Lesesne, Mazyck, Moses, Murray, Oswald, and Wilson.

Those who voted in the negative, are

Hon. W. D. PORTER, President; Messrs. Beaty, Boyle, Garlington, Hammond, Houser, W. R. Johnson, Keitt, Maxwell, McAliley, McCaw, J. W. Miller, E. G. Palmer, Sessions, Simkins, and Ware.

In the affirmative, 14.

In the negative, 16.

The motion, therefore, did not prevail.

The PRESIDENT assigned as a reason for his vote, that while he was opposed to the resolution, he was unwilling to sustain this motion, as a Senator had manifested a desire further to discuss it.

On the question of agreeing to the third resolution, the yeas and nays were ordered, and they are as follows:

Those who voted in the affirmative, are

Messrs. Beaty, Boyle, Garlington, Hammond, Houser, W. R. Johnson, Keitt, Maxwell, McAliley, McCaw, J. W. Miller, E. G. Palmer, Sessions, Simkins, and Ware.

Those who voted in the negative, are

Hon. W. D. PORTER, President; Messrs. Arthur, Barker, Boykin, Fickling, Furman, Hope, W. D. Johnson, Lawton, Lcesesne, Mazyck, Moses, Murray, Oswald, and Wilson.

In the affirmative, 15.

In the negative, 15.

The motion was, therefore, not agreed to.

The Senate granted leave to Mr. GARLINGTON to withdraw the fourth resolution.

Mr. GARLINGTON successively moved that the first and second resolutions be reconsidered, and ordered to lie on the table, and the motion prevailed.

On motion of Mr. McALILEY, the third resolution was then reconsidered, and ordered to lie on the table.

The House of Representatives sent to the Senate

A Bill to suppress the distillation of spirituous liquors; which received the third reading, was passed, title changed to an Act, and returned to the House of Representatives.

The House of Representatives sent to the Senate

A Bill to amend an Act entitled an Act to amend an Act entitled "An Act to organize and supply negro labor for coast defence, in compliance with requisitions of the Government of the Confederate States," and to authorize and direct the Governor to proceed to furnish negro labor under said Act.

The House of Representatives, at the third reading, had restored the text of the Bill, which had been stricken out by the Senate, on the second



reading, and a substitute adopted therefor. The Senate now sent a message asking leave to restore the amendment of the Senate.

Mr. GARLINGTON offered the following resolution, which was considered, and agreed to, and was sent to the House of Representatives for concurrence:

*Resolved*, That no case now standing in the Dockets of the Courts of Common Pleas, the Circuit Courts of Equity, or the Appeal Court, or which may be placed there during the year eighteen hundred and sixty-three, except such cases as do not fall within the provisions of the Act to extend relief to debtors, and to prevent the sacrifice of property at public sales, will be pressed or forced to trial, unless with the consent in writing of the defendant or defendants, or his or their attorney.

On motion of Mr. HAMMOND, the Senate, at 12, M., suspended business until half-past 1, P. M.

#### RECESS.

At half-past 1, P. M., the PRESIDENT resumed the Chair, and the Senate proceeded with business.

The House of Representatives sent to the Senate

The report of the Committee on Confederate Relations, on the subject of a correspondence between the Governor and Col. J. S. Preston, Commandant of Conscripts; which was referred to the Committee on Confederate Relations.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, April 10, 1863.

*Mr. President, and Gentlemen of the Senate:*

This House grants leave to amend the resolution in relation to the Free Market of Charleston, so that the same shall read as follows:

*Resolved*, That the Commission for the removal of non-combatants from Charleston be, and are hereby, authorized and requested, in their discretion, to sell any surplus or perishable provisions in their hands to the Free Market of Charleston, at a reasonable rate.

By order of the House,

A. P. ALDRICH, *Speaker*.

The resolution was amended, pursuant to leave granted, and was concurred in, and returned.

The following message was received from the House of Representatives:



## HOUSE OF REPRESENTATIVES, April 10, 1863.

*Mr. President, and Gentlemen of the Senate :*

This House respectfully refuses to grant leave to restore to a Bill to amend an Act entitled an Act to amend an Act entitled "An Act to organize and supply negro labor for coast defence, in compliance with requisitions of the Government of the Confederate States," and to authorize and direct the Governor to proceed to furnish negro labor under said Act, the amendment inserted by your body on the second reading, marked "A," as a substitute for the text of the original Bill, and which was stricken out by the House on the third reading.

By order of the House,

A. P. ALDRICH, *Speaker.*

The Senate returned a message insisting on asking leave. Messrs. Garlington, E. G. Palmer, and J. W. Miller were appointed a Committee of Conference, and a message was sent to the House of Representatives, asking the appointment of a similar Committee.

The House of Representatives returned, with its concurrence,

The report of the Committee on Claims and Grievances, on the account of the Clerk of the Senate, for stationery.

The House of Representatives sent to the Senate

The report of the Committee on Claims, of the House of Representatives, on the account of the Clerk of the House of Representatives, for stationery; which was concurred in, and returned.

The House of Representatives returned to the Senate the following Acts, and they were referred to the Committee on Incorporations and Engrossed Acts, viz:

An Act to repeal an Act entitled "An Act to provide for the payment by the State of such war tax as may be imposed by the Congress of the Confederate States during the year 1863, and for the collection of the same from the tax-payers in this State;" and

An Act to punish purchasing under assumed authority.

At half-past 2, P. M., on motion of Mr. E. G. PALMER, the Senate suspended business until 4, P. M., at which hour business was resumed.

The House of Representatives returned, with its concurrence, resolutions in relation to the defence of the harbor of Charleston.

Mr. MAZYCK submitted the report of the Committee on Confederate Relations, on the report of the same Committee of the House of Representatives, on so much of the Message of his Excellency the Governor as refers to a correspondence with Col. J. S. Preston, Commandant of Conscripts.

The report of the Senate Committee recommends that the report and resolutions of the House of Representatives do lie on the table.

The resolution was agreed to, and the report and resolutions of the House of Representatives were ordered to lie on the table.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, April 10, 1863.

*Mr. President, and Gentlemen of the Senate:*

This House respectfully asks leave to rescind so much of the resolution for adjournment as relates to the hour.

By order of the House,

A. P. ALDRICH, *Speaker*.

The message was ordered to lie on the table, and the Senate, on motion of Mr. WARE, sent a message proposing 8, P. M., as the hour of adjournment.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, April 10, 1863.

*Mr. President, and Gentlemen of the Senate:*

This House consents to a Committee of Conference on the Bill to amend an Act entitled an Act to amend an Act entitled "An Act to organize and supply negro labor for coast defence, in compliance with requisitions of the Government of the Confederate States," and to authorize and direct the Governor to proceed to furnish negro labor under said Act, and has appointed Messrs. Duryea, J. S. Bradley, and Evans, a Committee on the part of this House.

By order of the House,

A. P. ALDRICH, *Speaker*.

The House of Representatives sent to the Senate

A Bill to enforce any proclamation of the Governor prohibiting the exportation of provisions.

The Bill received the third reading, and it was agreed to, the title was changed to an Act, and it was returned to the House of Representatives.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, April 10, 1863.

*Mr. President, and Gentlemen of the Senate:*

This House concurs in your proposition to amend the resolution for the adjournment of this General Assembly, by striking out "five o'clock," and inserting "eight o'clock."

By order of the House,

A. P. ALDRICH, *Speaker*.

Mr. GARLINGTON submitted the following report:

The Committee of Conference, on the matters of difference between the two Houses in relation to a Bill to amend an Act entitled an Act to amend an Act entitled "An Act to organize and supply negro labor for coast defence, in compliance with requisitions of the Government of the Confederate States," and to authorize and direct the Governor to proceed to furnish negro labor under said Act, ask leave to report:

That they have considered the matters referred, and recommend that the House grant leave to restore the amendment adopted by the Senate, and stricken out by the House, with the following amendment, to wit: That the following words in the sixth section of said amendment be stricken out, viz: after the word "so," in the seventh line, the words "that the fine for default in sending slaves according to the provisions of this Act, and of an Act to organize and supply negro labor for coast defence, in compliance with requisitions of the Government of the Confederate States, shall be five dollars per diem, for each slave, for the time said slave may be liable to be furnished, and."

Respectfully submitted,

A. C. GARLINGTON,

*Chairman of Senate Committee.*

R. S. DURYEA,

*Chairman of House Committee.*

The report was agreed to by the Senate.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, April 10, 1863.

*Mr. President, and Gentlemen of the Senate:*

This House has agreed to the report of the Committee of Conference, on a Bill to amend an Act entitled "An Act to amend an Act entitled an Act to organize and supply negro labor for coast defence, in compliance with requisitions of the Government of the Confederate States, and to authorize and direct the Governor to proceed to furnish negro labor under said Act," and grant leave to amend as therein indicated; also to amend the title of the Bill, as proposed by the Senate.

By order of the House,

A. P. ALDRICH, *Speaker.*

The Bill was then amended, pursuant to the leave granted, the third reading was concluded, the Bill was passed, the title changed to "An Act," and it was returned to the House of Representatives.



Mr. WARE, from the Committee on Incorporations and Engrossed Acts, reported that the Acts which had been passed at the present Session of the General Assembly had been duly engrossed, and were now ready for ratification.

On motion of Mr. WARE, a message was sent to the House of Representatives, inviting that body to attend in the Senate Chamber, for the ratification of the Acts, forthwith.

The following message was received from the House of Representatives, and a message of concurrence was returned:

HOUSE OF REPRESENTATIVES, April 10, 1863.

*Mr. President, and Gentlemen of the Senate:*

This House respectfully asks leave to further rescind the joint resolution of adjournment, by striking out the words "eight o'clock, P. M."

By order of the House,

A. P. ALDRICH, *Speaker*.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, April 10, 1863.

*Mr. President, and Gentlemen of the Senate:*

This House accepts the invitation of your body, to attend in the Senate Chamber, forthwith, for the purpose of ratifying the Acts passed at this Session.

By order of the House,

A. P. ALDRICH, *Speaker*.

Thereupon the Speaker and Members of the House of Representatives, attended by the officers, appeared in the Senate Chamber, and the following Acts were duly ratified, in the presence of the members of both branches of the General Assembly:

#### ACTS ORIGINATING IN THE SENATE.

1. An Act to amend an Act entitled "An Act to prevent and punish the planting and cultivating in this State over a certain quantity of cotton during the present year."
2. An Act to punish purchasing under assumed authority.
3. An Act to repeal an Act entitled "An Act to provide for the payment by the State of such war tax as may be imposed by the Congress of the Confederate States during the year one thousand eight hundred and sixty-three, and for the collection of the same from the tax-payers in this State."



## ACTS ORIGINATING IN THE HOUSE OF REPRESENTATIVES.

1. An Act to suppress the distillation of Spirituous Liquors in this State.
2. An Act to enforce any Proclamation of the Governor prohibiting the exportation of Provisions.
3. An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to organize and supply negro labor for coast defence, in compliance with requisitions of the Government of the Confederate States,' " and for other purposes.

On motion of Mr. McALILEY, a message was sent to the House of Representatives, delivered orally by the Clerk, informing the House of Representatives that the Senate had disposed of the business before it, and was now ready to adjourn the present Session, *sine die*. A similar message, delivered in a similar manner, was immediately thereafter received from the House of Representatives, and

On motion of Mr. McALILEY, the PRESIDENT, at 12 minutes past 8, P. M., declared the Senate adjourned, *sine die*.



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TO THE  
**JOURNAL OF THE SENATE,**  
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